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Washington, Saturday, September 25, 1943

The President

EXECUTIVE ORDER 9378

AMENDMENT OF EXECUTIVE ORDER NO. 9063 OF FEBRUARY 16, 1942, AUTHORIZING THE CIVIL SERVICE COMMISSION TO ADOPT SPECIAL PROCEDURES RELATING TO RECRUITMENT, PLACEMENT, AND CHANGES IN STATUS OF PERSONNEL FOR THE FEDERAL SERVICE

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 404), paragraph 1 of Executive Order No. 9063 of February 16, 1942,[1] is hereby amended to read as follows:

"1. The United States Civil Service Commission is authorized to adopt and prescribe such special procedures and regulations as it may determine to be necessary in connection with the recruitment, placement, and changes in status of personnel, and dismissals on account of reduction of force, for all departments, independent establishments, and other Federal agencies, except positions of postmaster in all classes of post offices. The procedures and regulations thus adopted and prescribed shall be binding with respect to all positions affected thereby which are subject to the provisions of the Civil Service Act and Rules."

This order is recommended by the Civil Service Commission.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 23, 1943.

[F. R. Doc. 43-15558; Filed, September 24, 1943; 11:29 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[1943 C. C. C. Hay and Pasture Seed Form I, Amdt. 1]

PART 236—1943 HAY AND PASTURE SEED LOANS

DEFINITION OF "ELIGIBLE PRODUCER"

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended, (52 Stat. 43; 7 U.S.C., 1940 ed., 1302) Commodity Credit Corporation has authorized the making of loans on hay and pasture seed, stored in approved warehouses, in accordance with the regulations in this part (1943 C. C. C. Hay and Pasture Seed Form I—Instructions). Such regulations are hereby amended as follows:

The definition of an "Eligible producer", as contained in § 236.1, is amended to read as follows:

§ 236.1 *Eligible producer.* Any person, partnership, association, or corporation producing or harvesting hay and pasture seed in 1943, as landowner, landlord, tenant, or custom harvester, on a farm on which no deductions have been or will be computed under the 1943 Agricultural Conservation Program for failure to meet 90 percent of the 1943 war crop goal.

Dated: June 12, 1943.

J. B. HUTSON,
President.

[F. R. Doc. 43-15525; Filed, September 23, 1943; 11:19 a. m.]

[1943 C.C.C. Hay and Pasture Seed Form I, Amdt. 2]

PART 236—1943 HAY AND PASTURE SEED LOANS

ELIGIBILITY FOR LOAN ON LADINO CLOVER SEED

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), Commodity Credit Corporation has authorized the making of loans on hay and pasture seed, stored in approved warehouses, in accordance with the regulations in this part (1943 C.C.C. Hay and Pasture Seed Form I—Instructions). Such regulations are hereby amended as follows:

Section 236.2 *Eligible seed,* is amended by adding, at the end thereof, the following new paragraph:

(c) Ladino clover seed shall be eligible for loan only when certified to be Ladino

(Continued on next page)

[1] 7 F.R. 1075.

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clover seed by the county agricultural conservation committee.

Dated: June 12, 1943.

J. B. HUTSON,
President.

[F. R. Doc. 43-15526; Filed, September 23, 1943; 11:19 a. m.]

[1943 C. C. C. Hay and Pasture Seed Loans Form I, Amdt. 3]

PART 236—1943 HAY AND PASTURE SEED LOANS

LOAN RATES FOR LADINO CLOVER SEED

Amendment changing the loan rates for Ladino clover seed appearing in Tables Nos. 1[1] and 2,[2] attached to and made a part of 1943 C. C. C. Hay and Pasture Seed Form I—Instructions.

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended, (52 Stat. 43; 7 U.S.C., 1940 ed., 1302) Commodity Credit Corporation has authorized the making of loans on hay and pasture seed, stored in approved warehouses, in accordance with the regulations in this part (1943 C.C.C. Hay and Pasture Seed Form I—Instructions). Such regulations are hereby amended as follows:

The loan rate for Ladino clover seed testing 98 percent pure seed and 90 percent germination, as shown in Table No. 1, attached to and made a part of 1943 C. C. C. Hay and Pasture Seed Form I—Instructions, is changed to $1.00 per pound for seed containing not in excess of 0.5 percent of weed seed or 1 percent other crops.

[1] 8 F.R. 8906.
[2] 8 F.R. 8907.

The schedule of loan rates per 100 pounds for Ladino clover seed not meeting specifications for loan at the basic rate, appearing in Table No. 2, attached to and made a part of 1943 C.C.C. Hay and Pasture Seed Form I—Instructions, is amended to read as follows:

LADINO CLOVER

Difference of 1% Pure Seed=2% or $2.00 Deduction; Difference of 5% Germination=5% or $5.00 Deduction.

Pure seed	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98%	$100.00	$95.00	$90.00
97%	98.00	93.00	88.00
96%	96.00	91.00	86.00
95%	94.00	89.00	84.00
94%	92.00	87.00	82.00

Dated: June 12, 1943.

J. B. HUTSON,
President.

[F. R. Doc. 43-15527; Filed, September 23, 1943; 11:19 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of Economic Warfare

Subchapter B—Export Control

[Amendment 106]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

DELETION OF PORTUGUESE GOA FROM LIST OF SELECTED DESTINATIONS

Section 805.2 *Selected destinations* is hereby amended by deleting from the list of designated selected destinations the following:

Portuguese Colony of Goa G-83

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 8 F.R. 8529; E.O. 9361, 8 F.R. 9861 and Order No. 1, 8 F.R. 9938)

Dated: September 23, 1943.

HECTOR LAZO,
Assistant Director,
In Charge of the Office of Exports.

[F. R. Doc. 43-15524; Filed, September 23, 1943; 3:34 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

PART 1010—SUSPENSION ORDERS

[Suspension Order S-436]

ROYAL SHOW CASE COMPANY

Harold J. Stelling and Louis Hoffman, co-partners, doing business as Royal Show Case Company, located at 770 McAllister Street, San Francisco, California, are engaged in the business of designing, manufacturing and installing store equipment, and general building contracting. On April 7, 1943, Royal Show Case Company contracted with Stork Club, Inc. for the furnishings and

work of remodeling into a tavern the premises located on the northeast corner of Geary and Mason Streets, San Francisco, California, in the building known as the Fielding Hotel. The Company was fully familiar with the provisions of Conservation Order L-41, and knew that specific authority of the War Production Board was necessary if the cost of the construction, as defined in Conservation Order L-41, exceeded $1000. Although the estimated cost of such construction was far in excess of that amount, Royal Show Case Company began construction after April 20, 1943, without specific authorization of the War Production Board, carrying on construction costing at least $5000. The beginning and carrying on of such construction by Royal Show Case Company was a wilful violation of Conservation Order L-41. In view of the foregoing; *It is hereby ordered,* That:

§ 1010.436 *Suspension Order No. S-436.* (a) Deliveries of material to Harold J. Stelling and Louis Hoffman, doing business as Royal Show Case Company, or otherwise, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Harold J. Stelling and Louis Hoffman, doing business as Royal Show Case Company, or otherwise, their successors or assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Harold J. Stelling and Louis Hoffman, doing business as Royal Show Case Company, or otherwise, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on September 24, 1943, and shall expire on December 24, 1943, at which time it shall have no further force or effect.

Issued this 17th day of September 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-15554; Filed, September 24, 1943; 10:59 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 32 to CMP Reg. 1]

PRODUCTION AND DELIVERY OF LESS THAN MINIMUM MILL QUANTITIES OF BRASS MILL PRODUCTS AHEAD OF SCHEDULE

The following direction is issued pursuant to CMP Regulation 1:

(a) This direction is issued to all brass mills to enable them to produce and ship small orders promptly from overruns of orders for similar material and to combine the production of small orders calling for delivery in different months.

(b) Any item on an authorized controlled material order calling for the delivery of less than the minimum mill quantity of 200 pounds of any one brass mill product, may be produced ahead of its regular place on the production schedule when both (i) the item is not in finished mill stock and (ii) such production will not materially delay the production of previously accepted authorized controlled material orders. Any order produced ahead of its regular time under this direction may be delivered by the brass mill at any time after completion. However, if delivery is made before the month in which delivery was requested, it may only be made with the customers consent.

(c) Any item on an authorized controlled material order calling for the delivery of less than the minimum mill quantity of 200 pounds of any one brass mill product may be delivered by the brass mill from finished mill stock at any time after receipt of the order. However, if delivery is made before the month in which delivery was requested, it may only be made with the customers consent.

(d) If an order has more than one item calling for the same brass mill product, or if the customer places at approximately the same time separate orders containing items calling for the same brass mill product, all such items should be considered as one item under this direction and consequently this direction is not applicable if the aggregate quantity exceeds 200 pounds.

(e) Nothing in the foregoing requires a brass mill to produce any order ahead of its regular schedule or to ship any order in advance of the delivery date specified on the order.

(f) Deliveries made pursuant to this direction may be accepted by the customer, even if delivery would not otherwise be permitted by CMP Regulation No. 2.

Issued this 24th day of September 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-15556; Filed, September 24, 1943; 11:00 a. m.]

PART 3051—SCALES, BALANCES, AND WEIGHTS

[Schedules of Limitation Order L-190]

Section 3051.2 *Schedule I of Limitation Order L-190* is redesignated *Schedules of Limitation Order L-190*, and is amended to read as follows:

§ 3051.2 *Schedules of Limitation Order L-190.* The following schedules are issued pursuant to the provisions of subparagraph (e) (4) of Limitation Order L-190, as amended.

SCHEDULE I—BABY-WEIGHING SCALES

No baby-weighing or nursery scales shall be fabricated or assembled, except scales which conform to the following specifications:

1. No manufacturer shall manufacture any model of baby-weighing or nursery scales other than the one which, of all models manufactured by him during 1942, contains the least amount of steel by weight per scale, exclusive of the tray.

2. No manufacturer shall manufacture any baby-weighing or nursery scales containing any copper or copper-base alloys.

3. No manufacturer shall equip any baby-weighing or nursery scales with metal trays fabricated after April 29, 1943.

SCHEDULE II—RAILWAY TRACK SCALES

"Railway track scales" means scales for weighing railway cars in interchange service, excluding hot ladle scales, bar mill scales, plate scales, charging scales, mine car scales, wheel load scales, tipple scales, and any other scales normally produced for other purposes, even though equipped with rails. After October 24, 1943, no railway track scales shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales which conform to the following specifications:

(1) No person shall manufacture any railway track scales, except scales designed for weighrails which are either 50 feet, 60 feet, or 72 feet in length.

(2) No person shall manufacture any railway track scales with rated sectional capacities other than 50, 60, 75, 100, 150 or 200 tons per section.

(3) No person shall manufacture any weighbridges for railway track scales requiring the use of more metal by weight than the American Railway Engineering Association specifications for weighbridges for weighrails of the lengths permitted in Specification No. 1.

(4) No person shall manufacture a railway track scale having a lever system other than the one which, of all those previously manufactured by him in accordance with American Railway Engineering Association specifications for scales of the same capacity, contains the least weight of material.

(5) No person shall manufacture any railway track scales other than four section scales.

SCHEDULE III—MOTOR TRUCK SCALES

The reason for issuing this schedule is to reduce the quantity of scarce materials consumed in the manufacture of motor truck scales to the lowest practicable amount. The War Production Board does not mean to suggest that scales made under this schedule will be as durable as scales containing larger quantities of materials. After October 24, 1943, no pit type motor truck scales, other than grain dump scales, shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales which conform to the following specifications:

(1) No person shall manufacture any sizes of scales other than the seven listed in the following table. The lever system and weighbridge adopted for each specified platform size must be the one which contains the least amount of materials by weight for the corresponding lever capacity which the manufacturer has been accustomed to manufacture and rate as specified:

Size number	Platform size	Lever capacity
		Tons
1	22 feet by 9 feet	15
2	24 feet by 10 feet	20
3	34 feet by 10 feet	20
4	34 feet by 10 feet	30
5	40 feet by 10 feet	30
6	45 feet by 10 feet	50
7	60 feet by 10 feet	50

(2) No person shall fabricate weighbridges to support concrete decks for use with pit type motor truck scales.

SCHEDULE IV—PORTABLE BEAM SCALES

"Portable beam scales" means only scales which are normally equipped with wheels and which use a weighbeam as the indicating element. After October 24, 1943, no portable beam scales shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales

which conform to the following specifications:

(1) No person shall manufacture more than five models of portable beam scales. The principal specifications of the models permitted are listed in the following table. The capacity specified refers to maximum indicating capacity in pounds avoirdupois, including tare capacity, if provided, and the total value of counterpoise weights, if provided. Maximum and minimum platform dimensions are stated for each model. No manufacturer shall make more than one platform size within the size limits specified. For use with each listed model a manufacturer may make not more than three models of weighbeams—a full capacity weighbeam, a single weighbeam for use with counterpoise weights, and a weighbeam with tare bar for use with counterpoise weights. Each of these three models of weighbeams may be graduated in the avoirdupois system, in the metric system, in a foreign system, or any two systems. If graduated in other than the avoirdupois system, the capacity shall be the nearest practicable equivalent of the avoirdupois capacity specified. Model No. 2 and model No. 3 may be made with or without wheels, but the pillar, cap and platform center must be of wood.

Model No.	Capacity	Platform dimension adjacent to pillar	Other platform dimension
1	1,000 lbs	16" to 18"	24" to 27"
2	2,000 lbs	23" to 25"	31" to 33"
3	2,000 lbs	43" to 44"	33" to 35"
4	3,000 lbs	23" to 27"	32" to 35"
5	4,000 lbs	30" to 32"	38" to 41"

SCHEDULE V—ROLLING MILL SCALES

"Rolling mill scales" means only beam type rolling mill scales normally equipped with wheels. After October 24, 1943, unless specifically authorized by the War Production Board in writing, no person shall manufacture more than one model of rolling mill scales. This model shall have a capacity of 10,000 pounds avoirdupois, shall be made only with one lever system, and shall be made with one size of main platform. The latter restriction does not apply to super-platforms or racks.

SCHEDULE VI—PORTABLE DIAL SCALES

After October 24, 1943, no portable dial scales normally equipped with wheels shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales with platforms measuring 21 inches adjacent to the column by not less than 29 inches or more than 30 inches.

SCHEDULE VII—DIALS

"Dial scales" means only scales having pendulum actuated head mechanisms, but does not include crane scales. After October 24, 1943, no dials for new dial scales shall be fabricated or assembled without specific authorization of the War Production Board in writing except dials which have a reading line with a diameter of either 20 inches, or not more than 15 inches nor less than 14 inches.

SCHEDULE VIII—SELF-CONTAINED FLOOR SCALES

"Self-contained floor scale" means a scale enclosed and supported by its own frame, manufactured as a complete weighing unit, and designed primarily for installation with the platform surface at floor level. Self-contained floor scales include so-called "dormant" scales, and for purposes of this schedule include "fulcrum stand" scales, in which the fulcrum stands are held in fixed position by means of tie-rods. After October 24, 1943, no self-contained floor scales shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales with skeleton frame, wood box or fulcrum stand construction.

SCHEDULE IX—BUILT-IN FLOOR SCALES

"Built-in floor scales" means scales manufactured without a frame supporting and containing the lever system, and designed primarily for installation upon a prepared foundation with the platform surface at floor level. Built-in floor scales include "two-section" scales other than motor-truck scales. After October 24, 1943, no built-in floor scales shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales with wood platforms.

Issued this 24th day of September 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-15555; Filed, September 24, 1943; 11:00 a. m.]

PART 3270—CONTAINERS[1]

[Schedule A to Limitation Order L-103, as Amended Sept. 20, 1943]

GLASS CONTAINERS AND CLOSURE SIMPLIFICATIONS; DISTILLED SPIRITS

§ 3270.47[1] *Schedule A to Limitation Order L-103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Distilled spirits" means whiskey, gin, brandy, and rum.

(2) A "standard glass container for distilled spirits" means a glass container described in Exhibits A-1-a, A-2-a, A-3-a, A-4-a, A-5, or A-6 of this schedule which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Simplified practice.* (1) Until further order of the War Production Board, the manufacture of glass containers for distilled spirits is limited to the following capacities: 1 quart (32 fluid ounces); ⅘ quart (25.6 fluid ounces); 1 pint (16 fluid ounces), and ½ pint (8 fluid ounces) and the manufacture of glass containers for all other liquors (such as cordials, cocktails, and specialties) is limited to capacities of ½ pint (8 fluid ounces) or more.

(2) (i) Prior to September 1, 1942, no glass container for distilled spirits shall be manufactured which has a glass weight heavier than the following:

(*a*) If of quart capacity, not more than 22 oz. avoir.;

(*b*) If of ⅘ quart capacity, not more than 20½ oz. avoir.;

(*c*) If of pint capacity, not more than 15 oz. avoir.;

(*d*) If of half-pint capacity, not more than 10 oz. avoir.

(ii) On and after September 1, 1942, and prior to January 1, 1943, no glass container for distilled spirits shall be manufactured which has a glass weight heavier than the following:

(*a*) If of quart capacity, not more than 20½ oz. avoir.;

(*b*) If of ⅘ quart capacity, not more than 19 oz. avoir.;

(*c*) If of pint capacity, not more than 13½ oz. avoir.;

(*d*) If of half-pint capacity, not more than 8½ oz. avoir.

(3) (i) No mold for a glass container for distilled spirits may be replaced—whether because of wear or for any other reason—except by a mold which conforms to the specifications of a "standard glass container for distilled spirits."

(ii) On and after January 1, 1943, only standard glass containers for distilled spirits may be produced.

(4) No provision of this schedule shall be construed to restrict the sale, delivery or use of glass containers which were completely manufactured on or before the 12th day of September 1942.

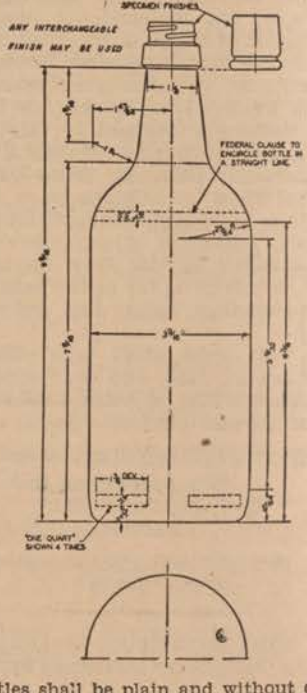
(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for distilled spirits shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

Issued this 20th day of September 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A-1-a

Standard Glass Container—Distilled Spirits Bottle, 32 ounce capacity



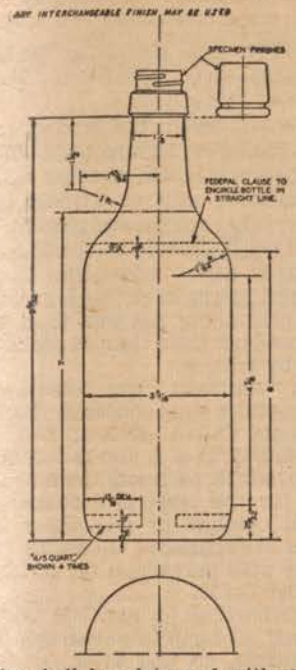
Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

Bottles must be round—19 oz. wt. maximum.

[1] Formerly Part 1198, § 1198.2.

EXHIBIT A–2–a

Standard Glass Container—Distilled Spirits Bottle 25.6 ounce capacity

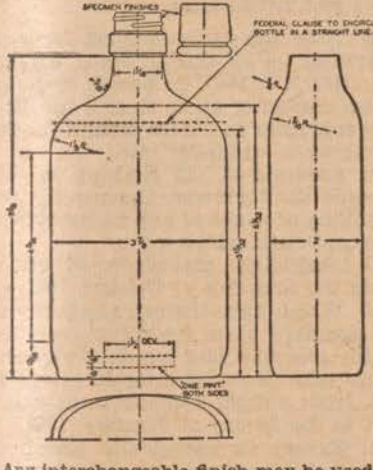


Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

Bottle must be round—17 oz. wt. maximum.

EXHIBIT A–3–a

Standard Glass Container—Distilled Spirits Flask, 16-ounce capacity



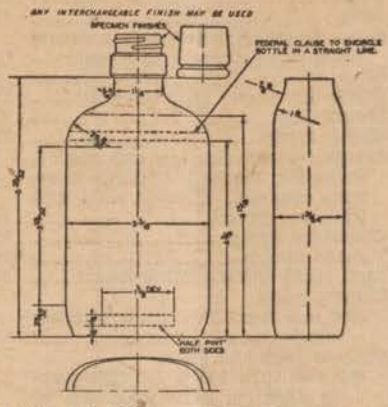
Any interchangeable finish may be used.

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

Bottle wt. 13½ oz. maximum.

EXHIBIT A–4–a

Standard Glass Container — Distilled Spirits Flask, 8 ounce capacity

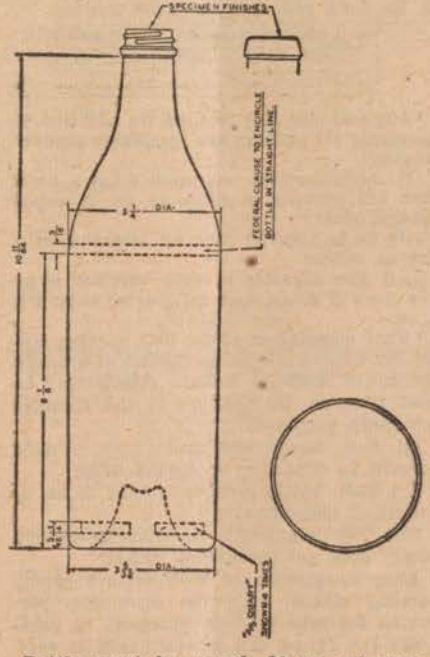


Bottle wt. 8½ oz. maximum.

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

EXHIBIT A–5

Standard Glass Container — Distilled Spirits Bottle, 25.6 ounce capacity—Rum

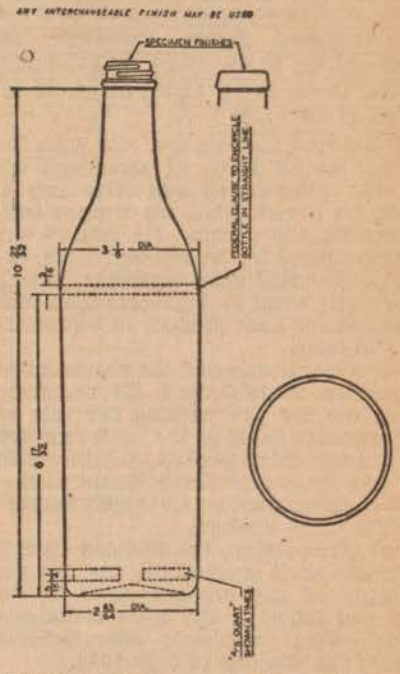


Bottle must be round—20 oz. wt. maximum.

Bottles shall be plain and without decoration except for cap lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

EXHIBIT A–6

Standard Glass Container—Distilled Spirits Bottle, 25.6 ounce capacity—Brandy



Bottles must be round—19 oz. wt. maximum.

Bottles shall be plain and without decoration except for cap lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

[F. R. Doc. 43–15369; Filed, September 20, 1943; 12:24 p. m.]

PART 3270—CONTAINERS[1]

[Schedule C to Limitation Order L–103 as Amended Sept. 20, 1943]

GLASS CONTAINER AND CLOSURE SIMPLIFICATION; GLASS CONTAINERS FOR CERTAIN FOOD PRODUCTS

§ 3270.49[1] *Schedule C to Limitation Order L–103*—(a) *Definition.* For the purposes of this schedule:

"Standard glass container" means any container constructed in accordance with the specifications and design prescribed by any exhibit set forth in Drawings 1 to 15, inclusive, annexed to Order L–103, which possesses the finish prescribed for such exhibit or, subject to the provisions of paragraph (b) (2) hereof, any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L–103.

[1] Formerly Part 1198, § 1198.4.

(Note that in accordance with the footnotes to Drawings 7, 8, 9 and 13 glass containers conforming to the specifications of the following exhibits constitute "standard glass containers" for the purposes of this schedule only if they are manufactured before December 20, 1943—16-80, 16-81, 17-09, 17-11, 17-22, 17-76, 18-08, 18-14, 51-87, 51-89, 51-93, 51-95, 51-97, 51-99.)

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after July 4, 1943, no person shall use a glass container for the packing for sale of any product listed in the annexed table, except a standard glass container, having a capacity equal to or greater than that specified for such product in column II of said table.

(2) Notwithstanding the provisions of paragraph (g) of Order L-103, no person shall use for the packing for sale of any product listed in the table annexed to this schedule any glass container with a "deep screw cap" finish, except as specifically permitted by an exhibit authorized for such product.

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use, for the packing of any product listed in the annexed table, of any glass containers which were completely manufactured before the 4th day of July 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers with a capacity larger than 140 fluid ounces, of designs that existed on May 11, 1942.

(3) Nothing in this schedule shall prohibit any person who packed less than a total of 5,000 containers with all of the products listed in the annexed table during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, during any subsequent calendar year, a maximum of 5,000 glass containers for packing such products.

(4) Except as specifically permitted by the drawings and exhibits annexed to Order L-103 molded lettering or decoration on standard glass containers for the respective products listed in said table shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* (1) No person shall manufacture, sell, or deliver any glass container which he knows, or has reason to believe, will be used in violation of any provision of this schedule.

(2) On and after the 5th day of April 1943, no molds may be manufactured for a container for any of the products listed in the annexed table which does not conform to the specifications of a standard glass container usable for such product, nor may any mold for a container for a product listed in the annexed table be replaced—whether because of wear or for any other reason—except by a mold which conforms to said specifications.

Issued this 20th day of September 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE

I. Product	*II. Minimum Overflow capacity in fluid ounces*
1. Fruit butter	12
2. Preserves	12
3. Jelly	[1] 9
4. Salad dressings (including products using salad dressing as a base)	[1] 8
5. Olive oil	2
6. Edible oils (other than olive oil)	16
7. Shortenings	20
8. Maple syrup	12
9. Syrups (except chocolate and maple), including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups	16
10. Chocolate syrup	[1] 8
11. Tomato catsup	[2] 12
12. Chili sauce and cocktail sauce	10
13. Tomato paste Not less than 25% by weight dry tomato solids	[1] 6
14. Tomato pulp and puree Not less than 10.7% (specific gravity 1.045) or more than 25% by weight dry tomato solids	12
15. Vinegar	16
16. Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and maraschino cherries	16
17. Honey	[1] 6
18. Pickles and relishes	[1] 8
19. Peanut butter	[1] 8
20. Fruit and vegetable juices and mixtures thereof	12
21. Olives, green	[3] 5
22. Maraschino cherries	[3] 7
23. Cranberries and cranberry sauce	[1] 8
24. Mustard, including, but not limited to, prepared mustard, horseradish mustard, compound mustard, and imitation mustard	[4] 6

[1] Any tumbler may be used (in addition to standard) for packing the applicable product provided:

(i) Such tumbler was made from a mold that was actually in existence on or before April 5, 1943;

(ii) Such tumbler has no larger than a 70 mm. finish;

(iii) The capacity of such tumbler is no less than 8 fl. oz. and no greater than 9¾ fl. oz.

[2] Until completion of the 1943 packing season for tomato catsup, any bottle of a design previously used for tomato catsup may be used therefor, in addition to the specified standards, provided:

(i) Said bottle was made from a mold actually in existence on April 5, 1943;

(ii) Such bottle is made to hold 14 oz. by weight of tomato catsup;

(iii) The height of such bottle to the "fill point" does not exceed 7⅞ inches.

After completion of 1943 tomato catsup packing season, only the containers permitted for said product pursuant to paragraph (b) (1) of this schedule may be used.

[3] Standard glass containers having a capacity equal to or greater than 3 oz. (and less than 5 oz.) may be used for olives, and standard glass containers having a capacity equal to or greater than 4 oz. (and less than 7 oz.) my be used for maraschino cherries, provided these containers were completely manufactured on or before December 20, 1943.

[4] Nothing in this schedule shall prevent the use for the packing of mustard of any glass container which was completely manufactured before December 20, 1943.

[F. R. Doc. 43-15368; Filed, September 20, 1943; 12:24 p. m.]

PART 3270—CONTAINERS

[Schedule D to Limitation Order L-103, as Amended Sept. 20, 1943]

GLASS CONTAINERS AND CLOSURE SIMPLIFICATION; GLASS CONTAINERS FOR WINES

§ 3270.50[1] *Schedule D to limitation Order L-103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Wine" means the product of the normal alcoholic fermentation of the juice of grapes, fruits, or other agricultural products, with or without added brandy or other spirits, and shall include, but shall not be limited to, sparkling and carbonated wine, vermouth, flavored wines, cider, perry, sake, in each instance only if containing not less than 7 per centum and not more than 24 per centum alcohol by volume.

(2) A "standard glass container for wines" means a glass container described in Exhibits D-1-A, D-2-A, D-3, D-4, D-5, D-6, D-7, D-8-A and D-9-A of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after October 1, 1942, no person shall use a glass container of other than the following capacities for the packaging of wines for sale:

(i) One gallon.
(ii) One half gallon.
(iii) 26 fluid ounce champagne.
(iv) 13 fluid ounce champagne.
(v) 1 quart, flat bottom.
(vi) 4/5 quart, push-up bottom.
(vii) 4/5 quart, flat bottom.
(viii) 4/5 pint, flat bottom.
(ix) 1 pint, flat bottom.

(2) With the exceptions set forth in paragraph (c) of this schedule, on and after March 1, 1943, no person shall use a glass container other than a standard glass container as herein defined for the packaging of wines for sale.

(c) *Exemptions.* (1) Nothing in this schedule shall prevent the use for the packaging of wines of any non-standard glass containers which were:

(i) Completely manufactured on or before the first day of October, 1942, or

(ii) Which have the same capacity as any standard glass container described in this schedule and which were completely manufactured prior to March 1, 1943, from a mold actually in existence prior to the 2d day of January, 1943.

(2) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for wines shall be limited to manufacturers' identification, (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

(d) *Manufacture.* (1) No molds may be manufactured for a wine bottle or finish which do not conform to the specifications of a standard glass container for wines, nor may any mold for a glass container for wines be replaced, whether

[1] Formerly Part 1198, § 1198.5.

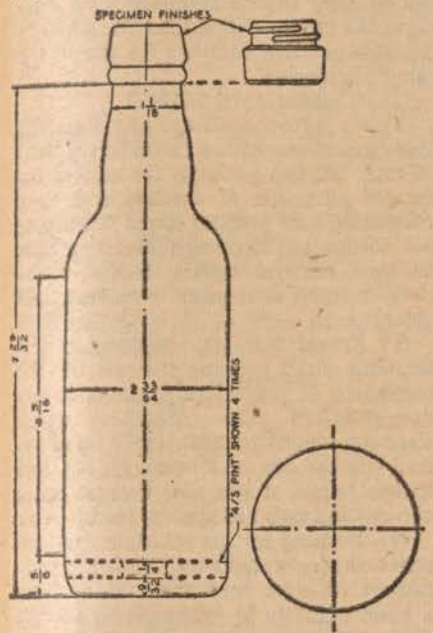
because of wear or for any other reason, except by a mold which conforms to said specifications.

Issued this 20th day of September, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT D–1–a

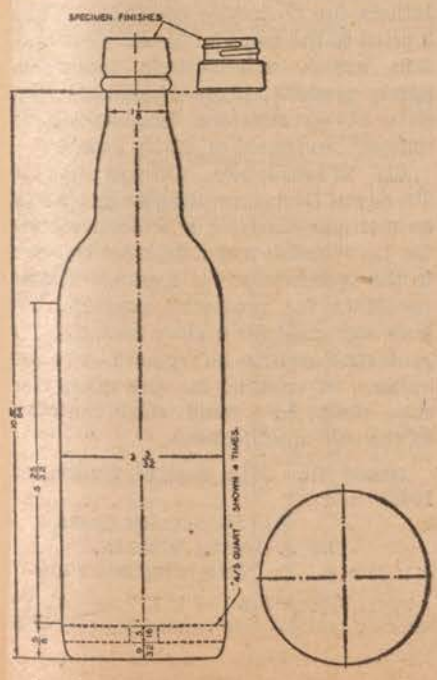
Standard Glass Container Wine Bottle—12.8 oz. capacity, bulb neck, flat bottom.



Any interchangeable finish may be used. Bottles must be round, 11 oz. max. wt.

EXHIBIT D–2–a

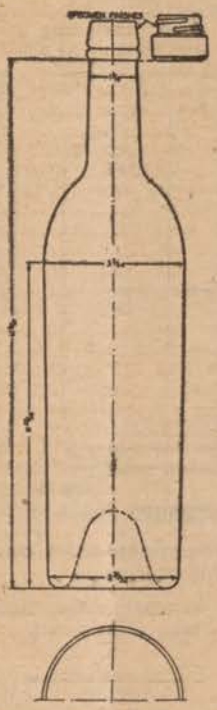
Standard Glass Container Wine Bottle—25.6 oz. capacity, bulb neck, flat bottom.



Any interchangeable finish may be used. Bottles must be round, 19 oz. max. wt.

EXHIBIT D–3

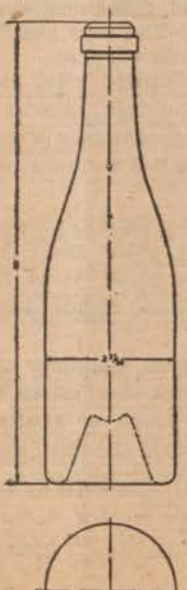
Standard Glass Container—Wine Bottle, 25.6 ounce capacity, straight-neck pushup bottom.



Any interchangeable finish may be used. Bottles must be round, 21 oz. max. wt.

EXHIBIT D–4

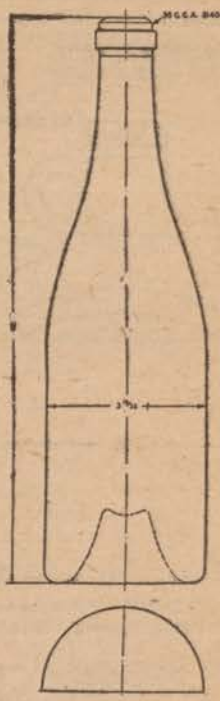
Standard Glass Container—Champagne Bottle, 13 ounce capacity



Any interchangeable finish may be used. Bottles must be round, 20 oz. max. wt.

EXHIBIT D–5

Standard Glass Container—Champagne Bottle, 26 ounce capacity

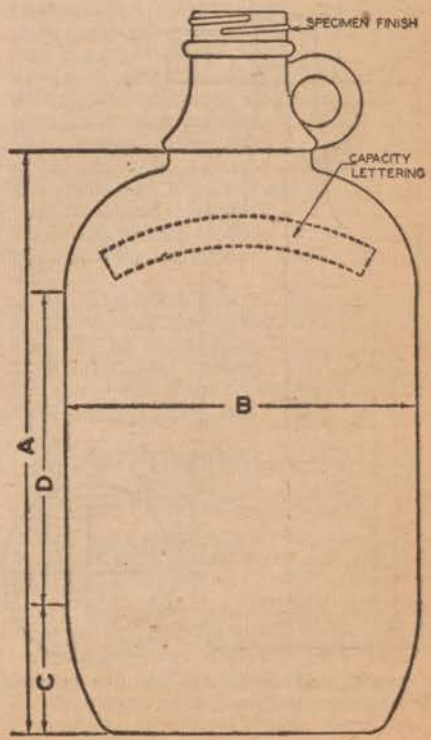


Any interchangeable finish may be used. Bottles must be round, 37 oz. max. wt.

EXHIBIT D–6

Standard Glass Container—Wine Bottle, one-half gallon

NOTE: Exhibit D–6 amended Sept. 20, 1943.



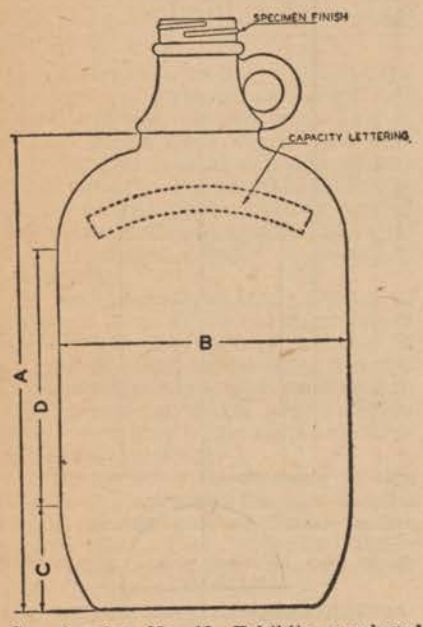
See drawing No. 13, Exhibit Nos. 51–86 and 51–88 for specifications.

EXHIBIT D–7

Standard Glass Container—Wine Bottle, one gallon

NOTE: Exhibit 7 amended Sept. 20, 1943.

ANY INTERCHANGEABLE FINISH MAY BE USED.

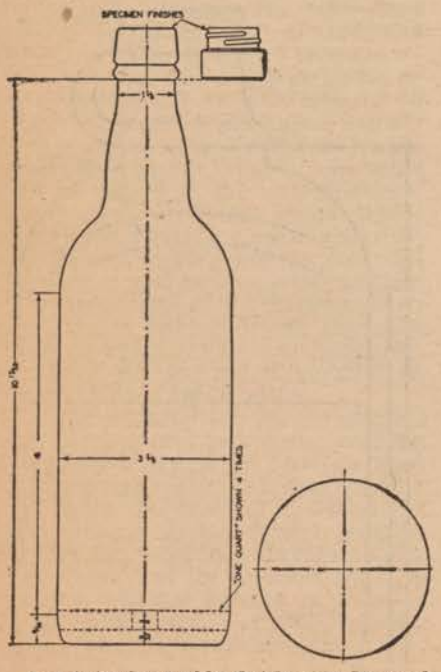


See drawing No. 13, Exhibits numbered 51–92, 51–94, 51–96 and 51–98 for specifications.

Any interchangeable finish may be used. Bottles must be round, 31 oz. max. wt.

EXHIBIT D–8–a

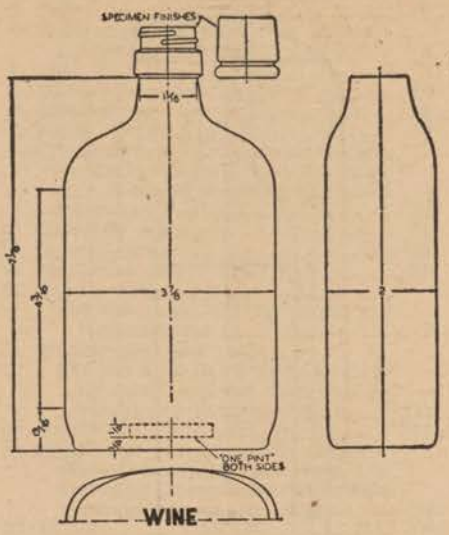
Standard Glass Container Wine Bottle—32 oz. capacity, bulb neck, flat bottom.



Any interchangeable finish may be used. Bottles must be round, 20 oz. max. wt.

EXHIBIT D–9–a

Standard Glass Container Wine Bottle—16 oz. capacity.



Any interchangeable finish may be used. Bottle wt. 13½ oz. max.

[F. R. Doc. 43–15381; Filed, September 20, 1943; 12:24 p. m.]

PART 3270—CONTAINERS[1]

[Schedule E to Limitation Order L–103, as Amended Sept. 20, 1943]

GLASS CONTAINER AND CLOSURE SIMPLIFICATION; GLASS CONTAINERS FOR PROTECTIVE COATINGS

§ 3270.51 *Schedule E to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Protective coatings" means paints (including paste water paints), varnishes, lacquers, shellacs, stains, linseed oil, turpentine, benzine, mineral spirits, varnish and paint removers, thinners and driers. The term shall not include inks or artists' supplies.

(2) A "standard glass container for protective coatings" means:

(i) A glass container described in Exhibits E–1 to E–6, inclusive, of this schedule;

(ii) A glass container described in Exhibits 10–14, 10–28, 10–77, 51–86, 51–88, 51–92, 51–94, 51–96, 51–98, 80–25, 80–50, 80–75, 80–76, and 80–96 of Limitation Order L–103;

(iii) A glass container described in Exhibits 10–20, 10–40, 10–48, 10–67, 10–72, 12–86, and 12–96, of Limitation Order L–103, provided the container was completely manufactured on or before December 20, 1943, which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L–103.

(b) *Restrictions on use.* With the exceptions set forth in paragraph (c) of this schedule, on and after January 1, 1943,

(1) No person shall use a glass container other than a standard glass container as herein defined for the packaging of protective coatings for sale or for sample purposes.

(2) [Deleted April 5, 1943]

(3) No person shall use any standard glass containers with a finish larger than 38 mm. for the packing, for sale or for sample purposes, of shellacs and clear varnishes, and jobbing items (including but not limited to linseed oil, turpentine, benzine, mineral spirits, lacquer thinners, varnish and paint removers, and driers).

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use for the packaging of protective coatings of any non-standard glass containers which were completely manufactured on or before the 1st day of February, 1943, and in the hands of the user thereof on or before the 1st day of March, 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers, made from a mold actually in existence on the 7th day of December, 1942, which have an overflow capacity of between 65 and 70 fl. oz. or between 130 and 140 fl. oz.; but such molds may not be replaced except in accordance with paragraph (d) of this schedule.

(3) Lettering on standard glass containers for protective coatings shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* On and after the 7th day of December, 1942, no molds may be manufactured for a protective coating jar or finish which does not conform to the specifications of a standard glass container for protective coatings, nor may any mold for a glass container for protective coatings be replaced—whether because of wear or for any other reason—except by a mold which conforms to the said specifications.

Issued this 20th day of September 1943.

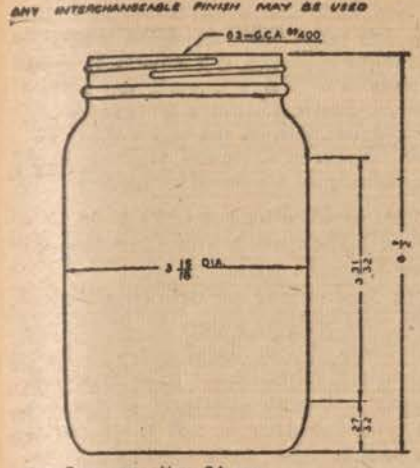
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Former Exhibits 1, 2, 7 revoked; remaining exhibits redesignated Sept. 20, 1943.

[1] Formerly Part 1198, § 1198.6.

EXHIBIT 1

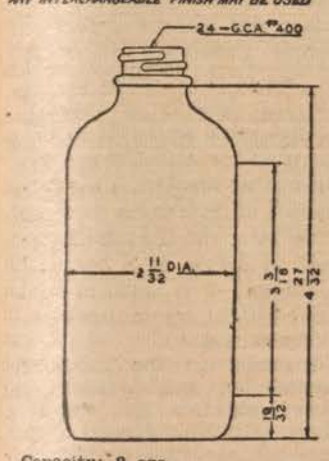
Standard Glass Container—Paint



Overflow capacity: 84 ozs.
Glass weight: 14½ ozs. maximum.

EXHIBIT 2

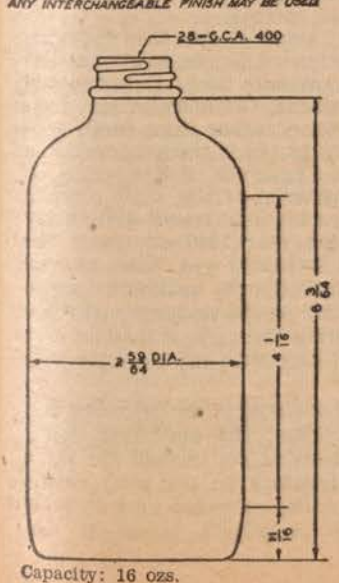
Standard Glass Container—N. M. Round



Capacity: 8 ozs.
Glass weight: 5¾ ozs. maximum.

EXHIBIT 3

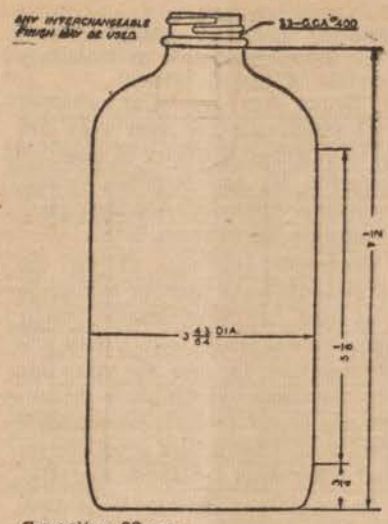
Standard Glass Container—N. M. Round



Capacity: 16 ozs.
Glass weight: 9 13/16 ozs. maximum.

EXHIBIT 4

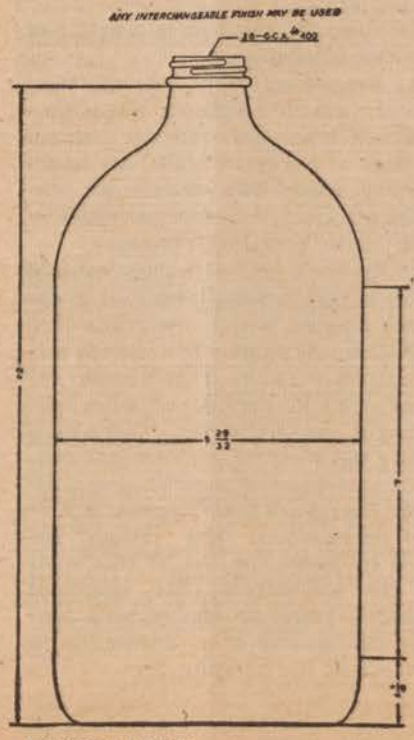
Standard Glass Container—N. M. Round



Capacity: 32 ozs.
Glass weight: 16⅛ ozs. maximum.

EXHIBIT 5

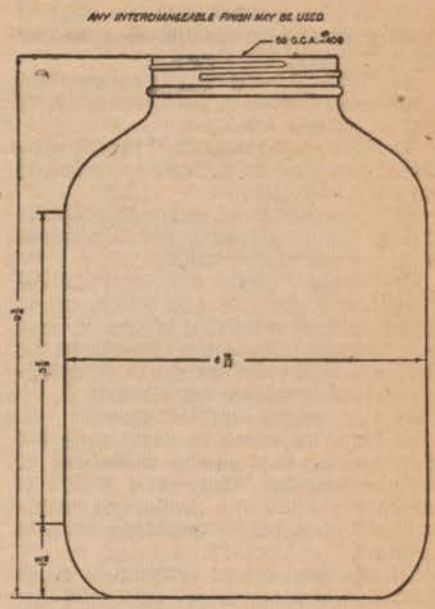
Standard Glass Container—N. M. Round



Capacity: 128 ozs.
Glass weight: 50 ozs. maximum.

EXHIBIT 6

Standard Glass Container—Paint



Overflow capacity: 136 ozs.
Glass weight: 49 ozs. maximum.

[F. R. Doc. 43-15380; Filed, September 24, 1943; 10:59 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

[Utilities Order U-1, as Amended September 24, 1943]

§ 4500.1 *Utilities Order U-1*—(a) *Definitions.* For the purpose of this order:

(1) "Producer" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, engaged in, or constructing facilities for the purpose of engaging in, one or more of the following services, whether or not such producer has applied the preference ratings herein assigned:

(i) Supplying electric power directly or indirectly for general use by the public.

(ii) Supplying gas, natural or manufactured, directly or indirectly for general use by the public, exclusive of the production and transmission of natural gas up to the point of its entry into gas transmission lines from field gathering lines.

(iii) Supplying water directly or indirectly for general use by the public, other than exclusively for irrigation purposes.

(iv) Supplying central steam heating directly or indirectly for general use by the public.

(v) Supplying any of the foregoing services but not for general use by the public, provided that a specific direction from the War Production Board, entitles such person or agency to apply the ratings herein assigned. Application for such a specific direction should be made by letter to the War Production Board, Washington, D. C., Ref.: U-1.

(2) "Producer" also means any producer, as defined in paragraph (a) (1), but located in the Dominion of Canada, to whom and in whose name a copy of this order has been specifically issued by the War Production Board.

(3) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(4) "Controlled material" means controlled material as defined in Schedule I of CMP Regulation 1.

(5) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

(6) "Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service.

(7) "Operating supplies" means:

(i) Material which is essential to the operation of any of the industries or services specified above and which is generally carried in a producer's inventory and charged to operating expense accounts.

(ii) Material for an addition to or an expansion of property or equipment (including a minor extension of lines), provided that such addition or expansion shall not include any work order, job, or project in which the cost of material shall exceed $1,500 in the case of underground construction and $500 in the case of other construction, and provided that no single construction project shall be subdivided into parts in order to come below these limits.

(8) Material for "maintenance," "repair," and "operating supplies" includes only material which is essential to minimum service standards, and does not include material for the improvement of a producer's property or equipment through the replacement of material which is still usable in the existing installation with material of a better kind, quality, or design.

(9) "Supplier" means any person with whom a purchase order or contract has been placed for delivery of material to a producer or to another supplier.

(10) "Calendar quarterly period" means the quarterly period commencing on the first day of the first, fourth, seventh, and tenth months of the calendar year and ending, respectively, on the last day of the third, sixth, ninth, and twelfth months of the calendar year, or the producer's customary accounting period closest to such period.

(11) "Inventory" means all new or salvaged material in the producer's possession, unless physically incorporated in plant, without regard to its accounting classification, excluding, however, appliances, merchandising supplies, and material in the producer's possession which is segregated for use in "construction" as defined in paragraph (a) (12). After completion of "construction" any material remaining shall be included in "inventory".

(12) "Construction" means any addition to or expansion of property or equipment having a dollar value for material in excess of the dollar values specified for "operating supplies" in paragraph (a) (7) (ii) of this order.

(13) "Class" means any one of those categories of material established as a basis for the classification of inventory in Schedule A of this order.

(14) "Short item" means any item of material which the producer does not possess in sufficient quantity to meet his requirements for maintenance, repair, and operating supplies during the ninety days following its delivery date.

(b) *Preference ratings.* (1) In the case of material to be used, or to replace material used, for maintenance, repair and operating supplies (other than operating supplies for use in extending lines to consumer premises), a preference rating of AA–1 is hereby assigned to orders to be placed by a producer for material other than controlled material.

(2) In the case of material to be used, or to replace material used, for extending to consumer premises authorized lines costing no more than the dollar limits established for operating supplies in paragraph (a) (7) of this order, a preference rating of AA–3 is hereby assigned to orders to be placed by a producer for material other than controlled material.

(c) *Restrictions on use of rating.* The preference ratings hereby assigned shall not be applied or extended by a producer or supplier:

(1) To obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design,

(2) To obtain deliveries of material which can be purchased without the use of such ratings,

(3) To obtain any item in violation of Priorities Regulation 3.

(d) *Assignment of CMP allotment number.* (1) The abbreviated CMP allotment number U–9 is hereby assigned (in place of the symbol MRO–U) to orders to be placed by a producer for controlled material for use in maintenance, repair, or as operating supplies.

(2) An order for controlled material for use in maintenance, repair, or as operating supplies, bearing the abbreviated CMP allotment number U–9 and the certification set forth in paragraph (e) hereof shall be deemed an authorized controlled material order. This abbreviated CMP allotment number shall constitute an "allotment number or symbol" for the purpose of CMP Regulation 3.

(e) *Certification.* The ratings assigned by paragraph (b) of this order and the abbreviated CMP allotment number U–9 may be applied by a producer only by use of a certification in substantially the following form:

Preference Rating ——, Abbreviated CMP Allotment Number U–9. The undersigned producer certifies, subject to the penalties of Section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive, for utility MRO under U–1, the material ordered, and to use the preference ratings or allotment numbers which the undersigned has placed on this order.

The certifications set forth in Priorities Regulation 3 and CMP Regulations 1 and 5 may not be used.

(f) *Restrictions on deliveries, inventory, and withdrawals*—(1) *Scheduling deliveries.* No producer shall, in placing orders, schedule for delivery to him in any calendar quarterly period any material (whether or not rated pursuant to this order) to be used for maintenance, repair, or as operating supplies, the aggregate dollar value of which shall exceed one-third of the aggregate dollar value of withdrawals of material of the same class from inventory for such uses during the last nine months of 1942.

(2) *Accepting deliveries; inventory restrictions.* No producer shall at any time accept any delivery of material (whether or not rated pursuant to this order) to be used for maintenance, repair, or as operating supplies, if the producer's inventory of material in the same class is, or will by virtue of such acceptance become, in excess of a practical working minimum. The value of such practical working minimum inventory shall in no case exceed:

(i) For material in the following classes—transmission and distribution, meters, house regulators, and (in the case of electric power producers) wire, cable, and bus bar, as well as wood poles and cross arms—four-thirds of the aggregate dollar value of items of material of the same class withdrawn from inventory for use in maintenance, repair, and as operating supplies during the last nine months of 1942;

(ii) For material in the following classes—source of supply, reservoirs, elevated and pressure tanks, pumping and booster stations, (excluding fuel), generating station (other than fuel), production and pumping station (excluding fuel)—the aggregate dollar value of items of material of the same class in inventory on the most recent date during the calendar year 1940 on which the producer's inventory was taken, plus an amount proportionate to the increase in system output in the twelve months' period preceding the current quarter over the system output in the calendar year 1940.

(iii) For material in the switching and substation class, the aggregate dollar value of items of material of the same class in inventory on the most recent date during the calendar year 1940 on which the producer's inventory was taken;

(iv) For every other class of material except the classes specified in paragraph (f) (7), two-thirds of the aggregate dollar value of material of the same class withdrawn from inventory for use in maintenance, repair, and as operating supplies during the last nine months of 1942.

(3) *Withdrawals.* No producer shall, during any calendar quarterly period, make withdrawals from inventory of material to be used for maintenance, repair, or as operating supplies, the aggregate dollar value of which shall exceed one-third of the aggregate dollar value of withdrawals of material of the same class from inventory for such uses during the last nine months of 1942.

(4) *Exceptions.* Notwithstanding the provisions of paragraphs (f) (1), (2) and 3:

(i) A producer may, in any calendar quarterly period, increase scheduled deliveries and withdrawals of material in any of the classes named in paragraph (f) (2) (ii), over the limits prescribed in paragraphs (f) (1) and (f) (3) respectively, proportionately to the increase in system output in the twelve months' period preceding the current quarter over the system output in the calendar year 1940.

(ii) A producer may make withdrawals from inventory of consumer's meters or house-regulators in any calendar quarterly period in an amount not in excess of one-third of the number of such meters or house-regulators condemned and destroyed by the producer in the last nine months of 1942, plus the number of meters and house-regulators necessary to serve the net increase in customers occurring in the current quarter. For the purposes of this subparagraph, withdrawals of meters and house-regulators shall not include meters or house-regulators put in service to replace meters and house-regulators removed from service.

(iii) A producer may in any calendar quarterly period schedule for delivery or make withdrawals from inventory of material necessary for the maintenance or repair of the producer's property or equipment which is damaged by acts of the public enemy, sabotage, explosion, fire, flood, and storm or similar climatic conditions: *Provided,* That if the restrictions of paragraphs (f) (1) and (3) are exceeded because of the scheduling of such deliveries, or because of such withdrawals, a full report thereof together with reasons therefor shall be made immediately to the War Production Board.

(iv) A producer may in any calendar quarterly period schedule for delivery material in any class having in the aggregate a dollar value not more than the dollar value of material of the same class taken from the producer's inventory for delivery to other persons authorized to accept delivery under applicable regulations of the War Production Board but only if, and to the extent that, such taking has reduced the producer's inventory of material of the same class below a practical working minimum.

(v) A producer may in any calendar quarterly period withdraw from inventory material in any class having in the aggregate a dollar value not more than the dollar value of usable material of the same class salvaged from plant during the current calendar quarterly period.

(vi) A producer, in order to provide for seasonal requirements of material for the maintenance, repair and operation of his system, may in any calendar quarterly period increase the dollar value of materials withdrawn for these purposes in that calendar quarter, provided that adjustments are made in withdrawals in other calendar quarters of the same calendar year to the extent that the total value of materials withdrawn during that calendar year do not exceed the amounts permissible to have been withdrawn during that calendar year under the terms of this order and of former Preference Rating Order P-46, as they may apply.

(vii) A producer supplying water may in any calendar quarterly period schedule for delivery and withdraw from inventory material in Class 5 (as defined in Water Utilities Material Classification, Schedule A of this order), to be used for maintenance, repair, and as operating supplies, having in the aggregate a dollar value not greater than 60 per cent of the aggregate dollar value of withdrawals of items of material in the same class during the corresponding calendar quarterly period of 1940, and no such producer shall be entitled to the quotas for scheduled deliveries and withdrawals established for Class 5 by paragraphs (f) (1) and (3).

(viii) In the case of a producer supplying water the value of practical working minimum inventory in Class 5 (as defined in Water Utilities Material Classification, Schedule A of this order) shall in no case exceed 60 per cent of the aggregate dollar value of items of material of the same class in inventory on the most recent date during the calendar year 1940 on which the producer's inventory was taken.

(ix) No electric producer's practical working minimum inventory for meters shall exceed fifty meters plus one and three-quarter per cent of the meters installed in the producer's system as of the first day of the preceding quarter.

(5) *Short item deliveries.* Notwithstanding the provisions of paragraph (f) (2), in cases where the inventory of a class of material exceeds a practical working minimum, a producer may accept deliveries of any short item within such class which is required for use in maintenance, repair, or as operating supplies,

(i) *Provided,* That all material in all classes of inventory in excess of a practical working minimum is:

(*a*) Continuously recorded as excess on records kept by the producer for that purpose,

(*b*) Continuously held for sale to financially responsible persons and agencies authorized (under applicable regulations issued by the War Production Board) to accept delivery thereof; and

(c) Reported to the War Production Board, when requested by the War Production Board, on Form WPB-2641, to the extent required by such form, or in such other manner as the War Production Board may prescribe, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, and

(ii) *Further provided,* That material transferred from excess to practical working minimum inventory on the records of a producer or used from excess inventory is recorded as a scheduled delivery under paragraph (f) (1).

(6) The War Production Board, on its own motion or on the application of any producer, may modify the limitations on practical working minimum inventory, on scheduling or accepting deliveries, or on making withdrawals set forth in this paragraph (f).

(7) The provisions of paragraphs (f) (1), (f) (2), and (f) (3) shall not apply to fuel, water purification material (excluding equipment), and gas chemical material and supplies.

(g) *Controlled material to be used in construction.* (1) Notwithstanding the provisions of any preference rating certificate or other order, except a direction referring specifically to this paragraph (g), no producer shall schedule for delivery or accept delivery of any controlled material named in, and in the form indicated in, Schedule B of this order for use in construction if his usable stocks of such controlled material are, or will by virtue of such scheduling or acceptance become, in excess of the dollar value of such controlled material he estimates will be required for use in authorized construction on his system during the 60-day period succeeding the scheduled delivery date of such material, or the actual delivery date, whichever is the later.

(2) Notwithstanding the restrictions of paragraph (g) (1), a producer may accept deliveries of controlled material for use in construction under the circumstances stated in paragraph (c) of CMP Regulation 2.

(h) *Restrictions on additions to plant.* (1) No producer shall construct an addition to or an expansion of property or equipment, and no producer shall, in the case of contract construction, accept delivery of material for such purposes, unless:

(i) Such addition or expansion is specifically authorized by the War Production Board, or

(ii) Such addition or expansion is an extension less than 250 feet in length (including service drop or service pipe and any portion built by or for a consumer) of a line to serve a new building where the foundation, under the main part of the structure, was completed prior to July 1, 1942, or

(iii) Such addition or expansion requires an expenditure of material having a dollar value of less than $1,500 in the case of underground construction and

$500 in the case of other construction, and is not an extension of a line to consumer premises: *Provided, however,* That no single work order, job, or project shall be subdivided into parts to come below these limits and that such addition or expansion requires only material which is essential to minimum service standards and does not include material for the improvement of the producer's property through the replacement of material which is still usable in the existing installation with material of a better kind, quality, or design.

(2) No producer shall connect with a line built by or for a customer or a prospective consumer which, at the date of its completion, exceeded the restrictions of this order applicable to lines constructed by or for producers, unless the producer has been specifically authorized by the War Production Board, to construct a line of substantially identical specifications to serve such consumer.

(i) *Sales from inventory.* No producer may make a sale of material from his inventory except as follows:

(1) Any sale of material which is a special sale of industrial material under Priorities Regulation 13, as amended from time to time, may be made as provided in that regulation. In addition, any producer may make a special sale of industrial material (i) to any other producer to fill an order bearing a preference rating of AA-5 or higher or (ii) pursuant to a specific direction issued by the War Production Board, and any such sale shall be expressly permitted under paragraph (c) (3) of Priorities Regulation 13.

(2) Any sale of material which is not a special sale of industrial material under Priorities Regulation 13 may, subject to the restrictions of Limitation Orders L-31, L-94, and L-102, be made:

(i) To fill an order bearing a preference rating of AA-3 or higher, or

(ii) Pursuant to a specific written direction issued by the War Production Board, or

(iii) To a person who produces, or to the person from whom the producer purchased, such material in the form in which it was purchased, or

(iv) To a scrap dealer as scrap, or

(v) To a used equipment dealer for resale if the item is used equipment and is not listed on Schedule D hereof, or

(vi) To the Army, Navy, Maritime Commission, or a public housing authority for the repair of an actual or threatened breakdown of electric, gas, water, or central steam heating facilities owned and operated by such agencies. This exception shall not be construed to extend to a sale of material for use in construction.

(j) *Placing orders.* Except in an emergency no producer may transmit to any supplier, other than another producer, an order totaling $100 or more for the delivery of any material listed in Schedule C of this order (including material to be used in construction) without first obtaining a statement from the War Production Board Utility Inventory Control Office in his region that such material is not reasonably available in the excess inventory of another producer. This statement shall be secured by filing an inquiry, in duplicate, in letter form or by using the producer's own price inquiry forms, stating (1) the quantity of each item required and (2) a description of the item. An oral or telephonic statement will be sufficient for the purposes of this paragraph, provided that confirmation is promptly obtained.

(k) *Refusal to sell to other producers.* Any producer may, by specific direction from the War Production Board, be prohibited from applying or extending preference ratings assigned by this order or by any other certificate or order, upon a determination by the War Production Board, that such producer has wilfully refused to sell (after receiving a bona fide offer to purchase at not less than maximum prices established by regulations of the Office of Price Administration, made by any financially responsible producer who is authorized—under applicable regulations—to accept delivery of the material specified in such offer) the following material:

(1) Material which is in inventory in excess of a practical working minimum, and

(2) Material which is included in practical working minimum inventory when such material is required by another producer for the repair of an actual breakdown of facilities or equipment.

(l) *Audits and reports.* (1) Each producer and each supplier who applies the preference ratings hereby assigned, and each person who accepts a purchase order or contract for material to which a preference rating is applied, shall submit from time to time to an audit and inspection by duly authorized representatives of the War Production Board.

(2) Each producer and each such supplier shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(3) Each producer shall maintain a continuing record of inventory and of segregated material in his possession.

(4) In addition to the records required to be kept under Priorities Regulation No. 1, the producer, and each supplier placing or receiving any purchase order or contract rated hereunder, shall retain, for a period of 2 years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(m) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington, D. C., Ref.: U-1.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority control, and may be deprived of priorities assistance.

(o) *Applicability of regulations.* This order and all transactions affected thereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time. No producer is, however, subject to the restrictions of CMP Regulation 5 nor may any producer in any way use the preference ratings therein assigned.

(p) [Deleted April 17, 1943.]

Issued this 24th day of September, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

All material in the inventory of any producer shall be carried on the producer's own records and reported to the War Production Board as may be required, classified as follows:

WATER UTILITIES MATERIAL CLASSIFICATION

1. Fuel, such as coal, fuel oil, and other fuel.
2. Material (excluding fuels) for source of supply, water treatment plants, reservoirs, elevated and pressure tanks, pumping and booster stations, including related pipe, valves, valve parts, and fittings.
3. Purification materials, such as chlorine, alum, lime, other chemicals, and other purification operating supplies.
4. Meters.
5. Transmission and distribution material and supplies (excluding meters), cast iron, steel, and wrought iron pipe, copper and brass pipe and tubing, lead pipe, pipe fittings, valves and valve parts, hydrants, parts for meters and hydrants, and other transmission and distribution materials and supplies, except pipe, valves, valve parts, and fittings included in Class 2 above.
6. Other material and supplies.

ELECTRIC UTILITIES MATERIAL CLASSIFICATION

1. Fuel, such as coal, fuel oil, and other fuel.
2. Generating Station Material (other than fuel), such as electrical equipment, parts, and materials, chemical materials and supplies, and other materials and supplies.
3. Switching and substation material, such as power transformers, other station equipment, parts, and material, and other material and supplies.
4. Wire, cable, and bus bar, such as bare copper and aluminum, weatherproof copper, underground cable, aluminum and copper shapes.
5. Wood poles and cross arms.
6. Meters.
7. Other transmission and distribution material, such as iron and steel poles, towers, and parts, line hardware—overhead and underground, distribution transformers, meter and transformer parts, and other line material and equipment (including insulators, lightning arrestors, etc.).
8. Other material and supplies.

GAS UTILITIES MATERIAL CLASSIFICATION

1. Fuel and gas production material, such as coal, coke, gas oil and crude oil, butane and propane, other fuel, residuals, and byproducts.
2. Production and pumping station material (excluding fuel).

8. Chemical material and supplies.
4. Meters and house regulators.
5. Transmission and distribution material (excluding meters and house regulators), such as cast iron, steel and wroupt iron pipe, copper and brass pipe and tubing, pipe fittings, valves, and valve parts, governors and regulators, parts for meters, regulators, and governors, other transmission and distribution material and supplies.
6. Other material and supplies.

SCHEDULE B

Forms of controlled material subject to the restrictions of paragraph (g):

ALUMINUM

Cable (electric transmission only).

COPPER

Copper and copper base alloy tubing and pipe.
Copper rods and bars, including extruded shapes.
Copper wire and cable (including copper content of insulated wire and cable and copper content of composite conductor).

STEEL

Carbon and alloy steel bars, cold finished or hot rolled.
Carbon and alloy steel pipe.
Carbon and alloy steel plates.
Carbon steel rails and track accessories.
Carbon steel sheets and strip.
Carbon steel structural shapes and piling.
Carbon and alloy steel tubing.
Carbon steel wheels and axles.
Carbon and alloy steel wire rods, wire and wire products.

SCHEDULE C

Items restricted by the provisions of paragraph (j):

A. *Items to be used by water utilities:*
1. Cast iron pipe
2. Steel pipe
3. Wrought iron pipe
4. Copper and brass tubing
5. Lead and lead-alloy pipe and tubing
6. Steel pipe fittings
7. Electric motors.
8. Meters
9. Hydrants
10. Distribution valves, 2 inches and larger
11. Bronze valves, smaller than 2 inches, corporation cocks, curb stops
12. Pumps
13. Steam engines
14. Chlorine control apparatus

B. *Items to be used by gas utilities:*
1. Cast iron pipe
2. Steel pipe
3. Wrought iron pipe
4. Copper and brass pipe and tubing
5. Steel pipe fittings, 1¼ inches and larger
6. Mechanical pipe couplings
7. District regulators and governors
8. Gas meters
9. Valves, 1¼ inches and larger
10. Condensers (coolers)
11. Electric motors
12. Steam engines
13. Exhausters
14. Boosters
15. Compressors
16. Pumps
17. Blowers
18. Station meters

C. *Items to be used by electric utilities:*
1. Wire (all types) including guy wire
2. Cable
3. Bus bar shapes
4. Power transformers
5. Distribution transformers
6. Watt-hour meters
7. Oil or air circuit breakers
8. Disconnecting switches
9. Electric motors
10. Current transformers
11. Potential transformers
12. Suspension insulators
13. Lightning arrestors, line types
14. Steam valve, piping and fittings, larger than 3 inch and for pressures of 300 pounds and over
15. Regulators (feeder voltage)
16. Fuse cutouts
17. Automatic line splices

SCHEDULE D

The following items of used equipment in the possession of producers may not be the subject of a sale to any used equipment dealer pursuant to paragraph (i) (2) (v) of this order:

USED EQUIPMENT

(1) Steam generating boilers designed for pressures of 100 pounds per square inch or above
(2) Steam engines and engine generator units of more than 300 h. p. rated capacity
(3) Oil or air circuit breakers of 2200 volts or higher
(4) Air circuit breakers of less than 2200 volts with interrupting capacity of 15,000 amperes or higher
(5) Metal clad switchgear of 2200 volts or higher
(6) Metal clad switchgear of less than 2200 volts containing oil or air circuit breakers listed in this Exhibit
(7) Unit substations containing transformers of 250 KVA or higher rated capacity
(8) Unit substations containing transformers of less than 250 KVA rated capacity if they also contain oil or air circuit breakers listed in this Exhibit
(9) Chlorine control apparatus
(10) Diesel and natural gas engines and engine generator units of more than 300 h. p. rated capacity
(11) Liquid filled power or distribution transformers 250 KVA and larger
(12) Steam turbine generator units of more than 300 h. p. rated capacity
(13) Mechanical drive steam turbines of more than 300 h. p. rated capacity
(14) Water gas sets
(15) Gas purification apparatus
(16) Electric motors, 250 h. p. or larger
(17) Pumps, 100 g. p. m. and larger
(18) Boosters
(19) Compressors
(20) Scrubbers
(21) Gas holders
(22) Gas station meters
(23) Blowers for manufactured gas plants
(24) Exhausters for manufactured gas plants

SCHEDULE E

NOTE: Schedule E deleted Sept. 24, 1943.

[F. R. Doc. 43-15557; Filed, September 24, 1943; 11:00 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 30,[1] Amdt. 5]

WASTEPAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 30 is amended in the following respects:

1. Section 1347.11 (a) (8) and (10) are amended to read as follows:

(8) "Out-throw" for a given grade of wastepaper consists of all substances not suitable for the manufacture of paper or paperboard such as "Objectionable papers" and "Foreign materials", and all paper-making materials present in the packing that do not meet the requirements of the applicable definition for the grade. In the book, magazine and ledger grades, except as otherwise specified, "Out-throw" includes books, magazines and papers containing groundwood.

(10) "One cut" as applied to wastepaper means wastepaper of one color and of uniform quality.

2. In Appendix A, paragraph (a), the grade of "Old 100% Kraft corrugated containers" is eliminated.

3. In Appendix A, paragraph (a), footnote 5 is deleted.

4. In Appendix A, paragraph (a), footnotes 12, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 29, and 30 are amended to read as follows:

[12] "Manila tabulating cards, free from groundwood" consist of new or used printed manila cards which have been manufactured for use in automatic tabulating machines. Must be free from groundwood except to the extent that groundwood is used in the furnish of manila cards which were free from groundwood prior to the present war. Lower qualities of this grade may include tabulating cards of similar stock having colors other than manila. Optional method of packing—bags or boxes.

[14] "No. 1 hard white shavings" consist of new bond or writing paper shavings of sulphite or rag fiber content, free from groundwood except to the extent that groundwood is used in the furnish of bond or writing papers of sulphite or rag fiber content which were free from groundwood prior to the present war. The highest quality of this grade consists of all white shavings. Lower qualities may contain rulings or light colored stock.

[15] "Hard white envelope cuttings" consist of new cuttings from bond or writing papers of the quality used in the manufacture of envelopes. The fiber content of the stock shall be sulphite, rag, or bleached sulphate, free from printed matter and free from groundwood except to the extent that groundwood is used in the furnish of bond or writing papers of the quality used in the manufacture of envelopes which were free from groundwood prior to the present war. Optional method of packing—securely tied packages.

[16] "One cut hard white envelope cuttings" consist of new one cut cuttings from bond

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9732; 8 F.R. 3845, 6109, 7350, 7199, 7821.

or writing papers of the quality used in the manufacture of envelopes. The fiber content of the stock shall be sulphite, rag, or bleached sulphate, free from printed matter and free from groundwood except to the extent that groundwood is used in the furnish of bond or writing papers of the quality used in the manufacture of envelopes which were free from groundwood prior to the present war. Optional method of packing—securely tied packages.

[17] "No. 1 soft white shavings" consist of unprinted, all white shavings from book and similar printing papers, free from printed matter and containing not in excess of 10% of coated paper stock or heavily filled papers. Must be free from groundwood except to the extent that groundwood is used in the furnish of book and similar printing papers which were free from groundwood prior to the present war.

[18] "One cut soft white shavings" consist of unprinted, all white, one cut shavings from book and similar printing papers, free from printed matter and containing not in excess of 10% of coated paper stock or heavily filled papers. Must be free from groundwood except to the extent that groundwood is used in the furnish of book and similar printing papers which were free from groundwood prior to the present war.

[19] "Miscellaneous soft white shavings" consist of unprinted all white shavings from book and similar printing papers, free from printed matter but not limited with respect to coated or filled paper stock. Must be free from groundwood except to the extent that groundwood is used in the furnish of book and similar printing papers which were free from groundwood prior to the present war.

[20] "No. 1 fly leaf shavings" consist of the trim of magazines, catalogs and similar printed matter. It may contain the bleed of cover and insert stock but must be free from groundwood except to the extent that groundwood is used in the furnish of magazines, catalogs and similar printed matter which were free from groundwood prior to the present war. Solid color printed and beater-dyed papers constitute a lower quality of this grade.

[24] "Repacked No. 1 heavy books and magazines" consist of used and overissue repacked books and magazines, stitchless stock, quire waste, and similar printed matter, free from groundwood. The packing must be free from newsprint, pulp magazines, and other coarse groundwood fiber material, hard backs, heavily inked, deeply colored, gilt, aluminum, varnished, lithographed, and cover papers, and shall not contain more than 5% out-throw. Lower qualities of this grade may include magazines containing fine groundwood, *Providing*, That such magazines constitute no more than 20% of the weight of the shipment, and do not contain newsprint or coarse groundwood material. Deliveries which fail to meet requirements of this grade as set forth above must be rejected or paid for only after adjustment to eliminate any payment for the excessive out-throw. Optional method of packing—securely tied bundles or in the case of flat stock, on skids.

[25] "No. 1 mixed ledger (colored ledger)" consists of ledger sheets, bond, and writing papers, white and colored. It must contain no more than 2% out-throw, and must be free from groundwood except to the extent that groundwood is used in the furnish of ledger sheets, bond and writing papers which were free from groundwood prior to the present war. Deliveries which fail to meet the requirement as to out-throw must be rejected or paid for only after adjustment to eliminate any payment for the excessive out-throw.

[26] "No. 1 white ledger" consists of ledger sheets, bond and writing papers, all white. It must contain no more than 2% out-throw, and must be free from groundwood except to the extent that groundwood is used in the furnish of ledger sheets, bond and writing papers which were free from groundwood prior to the present war. Deliveries which fail to meet the requirements as to out-throw must be rejected or paid for only after adjustment to eliminate any payment for the excessive out-throw.

[29] "Mixed Kraft envelope and bag cuttings" consist of new cuttings from sulphate envelope or bag stock, free from groundwood and other non-sulphate fiber except to the extent that groundwood or other non-sulphate fiber is used in the furnish of sulphate envelope or bag stock which was free from groundwood and other non-sulphate fiber prior to the present war.

[30] "Kraft envelope cuttings" consist of new cuttings from kraft envelope stock, free from other fiber except to the extent that such other fiber is used in the furnish of kraft envelope stock which was free from such other fiber prior to the present war. Optional method of packing—securely tied packages.

5. The text of Appendix A, paragraph (f) preceding subparagraph (1) is amended to read as follows:

(f) *Invoice requirements.* All sales of wastepaper to a consumer shall be invoiced. When delivery of the wastepaper is out of seller's warehouse, the invoice shall accompany the delivery or be mailed to consumer before the end of the business day following the day upon which the wastepaper is shipped. In all other cases, the invoice shall whenever possible be mailed before the end of the business day following the day upon which the wastepaper is shipped, but in those cases where seller is prepared to show that it is impossible for the invoice to be mailed within that time, he may send the invoice to buyer as soon as he is able. A copy of such invoice shall be kept on file by the seller. The invoice shall state as separate items the following data:

6. The text of Appendix A, paragraph (g)(2) preceding subdivision (i) is amended to read as follows:

(2) The maximum prices established in § 1347.14 Appendix A, can in no case be augmented by more than one brokerage allowance for each ton. In no event shall a person receive brokerage or the proceeds of brokerage on wastepaper packed by him or by any person with whom he has any connection consisting of any community of ownership or other beneficial interest, profit sharing arrangement, agreement for division of losses, or control based on close family relationship. In no event shall a person receive brokerage on the pack of another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on, the pack of the other. In addition to the price paid by the consumer, a broker may receive a broker's allowance only from a consumer, and only if the transaction in question fulfills all of the following requirements:

This amendment to Maximum Price Regulation No. 30 shall become effective September 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-15529; Filed, September 23, 1943; 5:00 p. m.]

PART 1362—SEASONAL COMMODITIES

[MPR 142,[1] Amdt. 5]

RETAIL PRICES FOR SUMMER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subdivision (vii) in § 1372.2 (b) (7) is amended to read "All metal window screens and screening sold by the foot".

This amendment becomes effective September 29 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-15530; Filed, September 23, 1943; 5:00 p. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210,[2] Amdt. 12]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 210 is amended by deleting item (2) "storm doors and storm sashes" in § 1372.112 (h).

This amendment becomes effective September 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-15531; Filed, September 23, 1943; 4:59 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 471]

LEGUME AND GRASS SEEDS

In the judgment of the Price Administrator, the prices of legume and grass

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3553, 3720, 5179, 5520, 8945, 8948.

[2] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10,109; 8 F.R. 973, 1813, 2025, 6359.

seeds have risen and are threatening to rise further to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended, and are thereby causing undue increases in prices

The Administrator has considered all pertinent provisions of the Emergency Price Control Act of 1942, as amended, and has complied with all legal requirements thereof.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

The maximum prices established by this Maximum Price Regulation No. 471 are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1439.6 *Maximum prices for legume and grass seeds.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and with the concurrence of the Food Administrator, Maximum Price Regulation No. 471 (Legume and Grass Seeds) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.6 issued under 56 Stat. 28, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 471—LEGUME AND GRASS SEEDS

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ARTICLE I—SCOPE OF THIS REGULATION AND PROVISIONS OF GENERAL APPLICABILITY

SECTION 1.1. *Prohibition against sales above maximum prices.* While this regulation is in effect, regardless of any contract, agreement or other obligation, no person to whom this regulation is applicable shall sell, offer for sale or delivery any legume and grass seeds subject to this regulation at prices higher than the maximum prices specified in this Maximum Price Regulation No. 471, and no person in the course of trade shall buy, solicit, or receive such legume and grass seeds at a price higher than the maximum prices specified in this Maximum Price Regulation No. 471, and no person shall agree, solicit or attempt to do any of the foregoing.

SEC. 1.2. *Less than maximum prices.* Lower prices than those provided for in this Maximum Price Regulation No. 471, may be charged, demanded, paid or offered.

SEC. 1.3. *Applicability.* This regulation shall apply to all sales, whether for immediate or future delivery, within the 48 states and the District of Columbia of the United States of the following domestic and Canadian legume and grass seeds, viz: alfalfa (northern, central and southern) seeds, except those State Certified improved varieties of alfalfa seeds, unprocessed, country cleaned or processed, not specifically named in sections 2–6 (c), 2–7 (c) or 2–8 (c) hereof, medium red and mammoth red clover seeds, alsike clover seeds, sweet clover seeds and timothy seeds and mixtures of said seeds.

SEC. 1.4. *General definitions.* (a) As used in this regulation the following terms shall have the following meanings:

(1) "Person" includes any individual, corporation, partnership, association or other organized group of persons, or the legal successor or representative of any of the foregoing, and includes the United States or any other government or any political subdivision or agency of any of the foregoing.

(2) "Unprocessed legume and grass seeds" are all legume and grass seeds other than processed legume and grass seeds. It includes country cleaned seeds.

(3) "Processed legume and grass seeds" are legume and grass seeds which have been cleaned and purified (with or without blending), sacked, tested in a

*Copies may be obtained from the Office of Price Administration.

laboratory, and labelled pursuant to all applicable state or federal seed laws.

(4) "Country-cleaned legume and grass seeds" are unprocessed legume and grass seeds which have been rough cleaned.

(5) "Legume and grass seed mixture" is a mixture of processed legume and grass seeds subject to this regulation consisting of more than one kind or variety of such legume and grass seeds, each present in excess of 5 per cent of the whole.

(6) "Noxious weed seeds" are those declared or defined as such by state law in general or in reference to the particular legume or grass seed in question.

(7) "Producer" is a person who produces legume and grass seeds in his own farming operations.

(8) "Processor" is a person who prepares unprocessed legume and grass seeds into processed legume and grass seeds or who reprocesses the latter.

(9) "Wholesaler" is a person who buys processed legume and grass seeds, unloads them into a warehouse and resells the same to retailers. A processor may also be a wholesaler to the extent of like sales by him from a warehouse, whether a part of or separate from his processing plant.

(10) "Retailer" is a person who buys processed legume and grass seeds, and resells the same to planters. A processor or wholesaler may also be a retailer to the extent of like sales from a store, whether a part of or separate from his processing plant or wholesale warehouse.

(11) "Independent country assembler" is a person who, on his own account, purchases and assembles unprocessed legume and grass seeds at a farm or country shipping point for sale or delivery therefrom to any other person.

(12) "Country cleaner" is a person other than a processor who rough cleans unprocessed legume and grass seeds.

(13) Transportation charges shall be computed at:

(i) The lowest common carrier rate (including the 3 per cent transportation tax provided for in section 620 of the Revenue Act of 1942, as amended) for the billing or shipment in question; or

(ii) If there is no such rate, the reasonable value of the service (including said 3 per cent tax, if any) not exceeding any maximum price established therefor.

(b) The foregoing definitions have like meaning in this regulation whether referring to the class as a whole (e. g. legume and grass seeds) or to a specific kind or variety comprised therein (e. g. alfalfa (northern, central or southern)).

(c) Whenever any seller of legume or grass seeds subject hereto is permitted to add any transportation charges hereunder and he is selling imported Canadian seed, processed or unprocessed or processed seed produced from Canadian unprocessed seed such transportation charges which may be added shall commence at the port of entry of such seed or of the unprocessed seed from which the processed seed was produced.

SEC. 1.5. *Increases for small size sacks.* Whenever processed legume and grass seeds are sold in quantities of less than 60 pounds, the maximum prices established in this regulation shall be increased one and one-half cents per pound, plus the reasonable value (not exceeding any maximum price thereon) of the sacks actually used.

SEC. 1.6. *Decreases for sales in bulk or buyer's sacks.* Whenever legume and grass seeds, unprocessed or processed, are sold in bulk or buyer's sacks, the maximum prices set forth in this regulation shall be decreased by the reasonable value (not exceeding any maximum price thereon) of the sacks which would be customarily used in a sale of a like quantity and quality in seller's sacks.

SEC. 1.7. *Sales not specifically mentioned in this regulation.* (a) The maximum price for the sale of legume and grass seeds for which maximum prices have been established by this regulation by any person of a class not specifically provided for in this regulation shall be the maximum price which his seller could lawfully have charged for a like sale.

(b) Notwithstanding any other provision of this regulation, sales between persons belonging to one of the classes specifically provided for in this regulation shall be permissible: *Provided,* That no such sale, nor any sale to a person of a different class, shall be at a higher price than the maximum price prescribed for said class of sellers in this regulation.

SEC. 1.8. *Export sales.* The maximum price for export sales of legume and grass seeds, unprocessed or processed, for which maximum prices have been established by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.[1]

SEC. 1.9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 1.10. *Evasion.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to legume and grass seeds, unprocessed or processed, for which maximum prices have been established by this regulation, alone or in conjunction with any other commodity, or by way of commission, service, additional transportation, or other charge, discount, premium, or other privilege, or by tying agreement, or other trade understanding, misgrading or otherwise.

SEC. 1.11. *Petitions for amendment.* Persons seeking an amendment of any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1.[2]

SEC. 1.12. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for treble damages and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 1.13. *Records and reports.* Except in the case of sales and deliveries by producers and retailers of legumes and grass seeds for which maximum prices are established by this regulation, every person making a purchase or sale of any such legume and grass seeds in the course of trade or business shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of each such purchase and sale including the date thereof, the name of the seller and purchaser, a description of the commodity sold, and the price paid.

ARTICLE II—ALFALFA SEED

SEC. 2.1. *Definitions specifically applicable to alfalfa seed.* (a) As used in this article the following terms shall have the following meanings:

[1] 8 F.R. 4132.

[2] 7 F.R. 8961; 8 F.R. 3313, 3553, 6173, 11806.

(1) "Northern alfalfa seed" is alfalfa seed produced in the following places: East of the Cascade Mountains in the States of Washington and Oregon; in the States of Idaho, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Minnesota, Wisconsin and Michigan; in the counties of Ohio which lie entirely north of the east-west line drawn half way between the northern and southern extremities of said state; and in the States of Pennsylvania and New Jersey and in the states north and northeast thereof; and in Canada.

(2) "Central alfalfa seed" is alfalfa seed produced in the following places: in the counties of the State of California north of the 40th parallel including the counties of Tehama and Plumas; in the States of Nevada, Utah, Colorado, Kansas, Iowa, Missouri, Illinois and Indiana; in the counties of Ohio which lie entirely south of or are divided by the east-west line drawn half way between the northern and southern extremities of said state; and in the States of Kentucky, West Virginia, Virginia and Maryland.

(3) "Southern alfalfa seed" is alfalfa seed produced in places in the United States south of the places where central alfalfa seed is produced.

SEC. 2.2. *Maximum prices for sales of unprocessed alfalfa seed by a producer.* (a) The maximum price for the sale of unprocessed northern alfalfa seed, sacked, by a producer shall be $35.00 per 100 pounds (excluding estimated dockage) plus transportation charges on the gross weight of the lot actually incurred by the seller from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(b) The maximum price for the sale of unprocessed central alfalfa seed, sacked, by a producer shall be $32.00 per 100 pounds (excluding estimated dockage) plus transportation charges on the gross weight of the lot actually incurred by the seller from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(c) The maximum price for the sale of unprocessed southern alfalfa seed, sacked, by a producer shall be $28.00 per 100 pounds (excluding estimated dockage) plus transportation charges on the gross weight of the lot actually incurred by the seller from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(d) The foregoing maximum price shall be reduced by the reasonable value of all services rendered by the purchaser in connection with the growing, harvesting or loading for transportation of the unprocessed alfalfa seed in question.

(e) The foregoing maximum prices may be increased by $1.00 per 100 pounds (excluding estimated dockage) for the sale by a producer of country cleaned alfalfa seed, sacked.

SEC. 2.3. *Maximum prices of an independent country assembler.* (a) The maximum price for the sale or delivery of unprocessed northern, central or southern alfalfa seed, sacked, by an independent country assembler shall be $1.50 (maximum margin) per 100 pounds (excluding estimated dockage) over the maximum price which he could lawfully have paid a producer for the quantity and quality purchased and delivered to him (from out of which lot the sale or delivery is made) plus transportation charges on the gross weight of the lot actually incurred by the seller to the buyer's receiving point.

(b) The foregoing maximum price may be increased by $1.00 per 100 pounds (excluding estimated dockage) for the sale by an independent country assembler of such alfalfa seed which he has had country cleaned.

(c) No seller of processed northern, central or southern alfalfa seed upon which has been paid an independent country assembler any sum under this section shall add such sum to his maximum margin as elsewhere established hereunder.

SEC. 2.4. *Maximum service charge of a country cleaner.* (a) The maximum service charge of a country cleaner of northern, central, or southern alfalfa seed shall be $1.00 per 100 pounds of the lot of country cleaned seed in question.

(b) No seller of processed northern, central or southern alfalfa seed upon which has been paid a service charge under this Section shall add such charge to his maximum margin as elsewhere established hereunder.

(c) All regulations or parts thereof establishing a maximum service charge for a country cleaner of any alfalfa seed are hereby superseded and revoked.

SEC. 2.5. *Maximum service charge for processing.* (a) The maximum service charge for the processing of northern or central alfalfa seed shall be $3.50 per 100 pounds of the lot of processed northern or central alfalfa seed in question.

(b) The maximum service charge for the processing of southern alfalfa seed shall be $3.00 per 100 pounds of the lot of processed southern alfalfa seed in question.

(c) All regulations or parts thereof establishing a maximum service charge for such processing are hereby superseded and revoked.

SEC. 2.6. *Basic maximum price for the sale of processed northern alfalfa seed.* The basic maximum price for the sale of processed northern alfalfa seed per 100 pounds, sacked, shall be as follows:

(a) $36.00 per 100 pounds if meeting the following specifications:

(1) Over 99.25% pure seed.
(2) Over 90% germination and hard seed.
(3) Less than .25% weed seeds of any kind.
(4) Less than 9 noxious weed seeds per pound.
(5) Less than .25% sweet clover.

(b) The prices per 100 pounds as set forth below for the following specifications:

PERCENTAGES OF TOTAL GERMINATION AND HARD SEED

Pure seed percentage	90% or more	89% to 85%	84% to 80%	79% to 75%	74% to 70%	69% to 65%	64% to 60%	59% to 55%	54% to 50%	49% to 45%	44% to 40%	Below 40%
99%;or more	35.00	33.25	31.50	29.75	28.00	24.50	21.00	17.50	14.00	10.50	7.00	3.50
98-98.9%	33.95	32.20	30.45	28.70	26.95	23.45	19.95	16.45	12.95	9.45	5.95	2.45
97-97.9%	32.90	31.15	29.40	27.65	25.90	22.40	18.90	15.40	11.90	8.40	4.90	1.40
96-96.9%	31.85	30.10	28.35	26.60	24.85	21.35	17.85	14.35	10.85	7.35	3.85	.35
95-95.9%	30.80	29.05	27.30	25.55	23.80	20.30	16.80	13.30	9.80	6.30	2.80	------
94-94.9%	29.75	28.00	26.25	24.50	22.75	19.25	15.75	12.25	8.75	5.25	1.75	------
93-93.9%	28.70	26.95	25.20	23.45	21.70	18.20	14.70	11.20	7.70	4.20	.70	------
92-92.9%	27.65	25.90	24.15	22.40	20.65	17.15	13.65	10.15	6.65	3.15	------	------
91-91.9%	26.60	24.85	23.10	21.35	19.60	16.10	12.60	9.10	5.60	2.10	------	------
90-90.9%	25.55	23.80	22.05	20.30	18.55	15.05	11.55	8.05	4.55	1.05	------	------
89-89.9%	24.85	23.10	21.35	19.60	17.85	14.35	10.85	7.35	3.85	.35	------	------
88-88.9%	24.15	22.40	20.65	18.90	17.15	13.65	10.15	6.65	3.15	------	------	------
87-87.9%	23.45	21.70	19.95	18.20	16.45	12.95	9.45	5.95	2.45	------	------	------
86-86.9%	22.75	21.00	19.25	17.50	15.75	12.25	8.75	5.25	1.75	------	------	------
85-85.9%	22.05	20.30	18.55	16.80	15.05	11.55	8.05	4.55	1.05	------	------	------
84-84.9%	21.35	19.60	17.85	16.10	14.35	10.85	7.35	3.85	.35	------	------	------
83-83.9%	20.65	18.90	17.15	15.40	13.65	10.15	6.65	3.15	------	------	------	------
82-82.9%	19.95	18.20	16.45	14.70	12.95	9.45	5.95	2.45	------	------	------	------
81-81.9%	19.25	17.50	15.75	13.00	12.25	8.75	5.25	1.75	------	------	------	------
80-80.9%	18.55	16.80	15.05	12.30	11.55	8.05	4.55	1.05	------	------	------	------
Below 80%	Extend table in accordance with foregoing ratios.											

The prices in the foregoing table shall be reduced per 100 pounds of seed as follows:

(1) For weed seed content:

Weed seed content (percent):	*Amount deducted*
Less than 0.50	None
0.50–1.00	$0.50
1.01–1.50	1.00
1.51–2.00	1.50
2.01–2.50	2.00
2.51–3.00	2.50
3.01–3.50	3.00
3.51–4.00	3.50
4.01–4.50	4.00
4.51–5.00	4.50
Over 5	[1] 1.50

[1] For each additional one-half percent or fraction thereof over 5%.

(2) For noxious weed seed content:

Noxious weed seeds per pound of seed:	*Amount deducted per 100 pounds of seed*
Less than 9 per pound	None
9–36 per pound	$0.50
37–63 per pound	1.00
64–100 per pound	1.50
101–150 per pound	2.00
Above 150 per pound	2.50

(3) For sweet clover seed content:

Sweet clover seed content (percent):	*Amount deducted*
Less than 0.50	None
0.50–1.00	$1.05
1.01–2.00	2.10
2.01–3.00	3.15
3.01–4.00	4.20
4.01–5.00	5.25
5.01–6.00	6.30
6.01–7.00	7.35

Sweet clover seed content (percent)—Continued.	Amount deducted
7.01–8.00	$8.40
8.01–9.00	9.45
9.01–10.00	10.50
Over 10	[1] 1.05

[1] For each additional one percent or fraction thereof over 10%.

(c) The prices set forth in paragraphs (a) and (b) may be increased per 100 pounds of seed for the sale of Grimm, Cossack, Ladak, Hardigan and Baltic State Certified improved varieties of processed northern alfalfa seed as follows:

(1) $5.00 for State Sealed and Certified BLUE Tag.
(2) $3.00 for State Sealed and Certified RED Tag.
(3) $1.00 for State Sealed and Certified YELLOW Tag.

(d) The prices set forth in paragraphs (a) and (b) may be increased per 100 pounds of seed for the sale of Canadian registered or Canadian Government certified processed alfalfa seed as follows:

(1) $5.00 for Canadian Registered No. 1
(2) $4.00 for Canadian Registered No. 2
(3) $3.00 for Canadian Government Certified No. 1
(4) $2.00 for Canadian Government Certified No. 2

SEC. 2.7. *Basic maximum price for the sale of processed central alfalfa seed.* The basic maximum price for the sale of processed central alfalfa seed, sacked, shall be as follows:

(a) $33.00 per 100 pounds if meeting the following specifications:

(1) Over 99.25%, pure seed.
(2) Over 90%, germination and hard seed.
(3) Less than .25%, weed seeds of any kind.
(4) Less than 9%, noxious weed seeds per pound.
(5) Less than .25%, sweet clover.

(b) The prices per 100 pounds as set forth below for the following specifications:

PERCENTAGES OF TOTAL GERMINATION AND HARD SEED

Pure seed percentage	90% or more	89% to 85%	84% to 80%	79% to 75%	74% to 70%	69% to 65%	64% to 60%	59% to 55%	54% to 50%	49% to 45%	44% to 40%	Below 40%
99% or more	32.00	30.40	28.80	27.20	25.60	22.40	19.20	16.00	12.80	9.60	6.40	3.20
98–98.9%	31.05	29.45	27.85	26.25	24.65	21.45	18.25	15.05	11.85	8.65	5.45	2.25
97–97.9%	30.10	28.50	26.90	25.30	23.70	20.50	17.30	14.10	10.90	7.70	4.50	1.30
96–96.9%	29.15	27.55	25.95	24.35	22.75	19.55	16.35	13.15	9.95	6.75	3.55	.35
95–95.9%	28.20	26.60	25.00	23.40	21.80	18.60	15.40	12.20	9.00	5.80	2.60	------
94–94.9%	27.25	25.65	24.05	22.45	20.85	17.65	14.45	11.25	8.05	4.85	1.65	------
93–93.9%	26.30	24.70	23.10	21.50	19.90	16.70	13.50	10.30	7.10	3.90	.70	------
92–92.9%	25.35	23.75	22.15	20.55	18.95	15.75	12.55	9.35	6.15	2.95	------	------
91–91.9%	24.40	22.80	21.20	19.60	18.00	14.80	11.60	8.40	5.20	2.00	------	------
90–90.9%	23.45	21.85	20.25	18.65	17.05	13.85	10.65	7.45	4.25	1.05	------	------
89–89.9%	22.80	21.20	19.60	18.00	16.40	13.20	10.00	6.80	3.60	.40	------	------
88–88.9%	22.15	20.55	18.95	17.35	15.75	12.55	9.35	6.15	2.95	------	------	------
87–87.9%	21.50	19.90	18.30	16.70	15.10	11.90	8.70	5.50	2.30	------	------	------
86–86.9%	20.85	19.25	17.65	16.05	14.45	11.25	8.05	4.85	1.65	------	------	------
85–85.9%	20.20	18.60	17.00	15.40	13.80	10.60	7.40	4.20	1.00	------	------	------
84–84.9%	19.55	17.95	16.35	14.75	13.15	9.95	6.75	3.55	.35	------	------	------
83–83.9%	18.90	17.30	15.70	14.10	12.50	9.30	6.10	2.90	------	------	------	------
82–82.9%	18.25	16.65	15.05	13.45	11.85	8.65	5.45	2.25	------	------	------	------
81–81.9%	17.60	16.00	14.40	12.80	11.20	8.00	4.80	1.60	------	------	------	------
80–80.9%	16.95	15.35	13.75	12.15	10.55	7.35	4.15	.95	------	------	------	------
Below 80%	Extend table in accordance with foregoing ratios.											

The prices in the foregoing table shall be reduced per 100 pounds of seed as follows:

(1) For weed seed content:

Weed seed content:	Amount deducted
Less than 0.50%	None
0.50–1.00%	$0.45
1.01–1.50%	.90
1.51–2.00%	1.35
2.01–2.50%	1.80
2.51–3.00%	2.25
3.01–3.50%	2.70
3.51–4.00%	3.15
4.01–4.50%	3.60
4.51–5.00%	$4.05
Over 5%	[1] .45

[1] For each additional one-half percent or fraction thereof over 5%.

(2) For noxious weed seed content:

Noxious weed seeds per pound of seed:	Amount deducted per 100 pounds of seed
Less than 9 per pound	None
9–36 per pound	$0.50
37–63 per pound	1.00
64–100 per pound	1.50
101–150 per pound	$2.00
Above 150 per pound	2.50

(3) For sweet clover seed content:

Sweet clover seed content:	Amount deducted
Less than 0.50%	None
0.50–1.00%	$0.95
1.01–2.00%	1.90
2.01–3.00%	2.85
3.01–4.00%	3.80
4.01–5.00%	4.75
5.01–6.00%	5.70
6.01–7.00%	6.65
7.01–8.00%	7.60
8.01–9.00%	8.55
9.01–10.00%	9.50
Over 10%	[1] .95

[1] For each additional one percent or fraction thereof over 10%.

(c) The prices set forth in paragraphs (a) and (b) may be increased per 100 pounds of seed for the sale of Grimm, Cossack, Ladak, Hardigan and Baltic State Certified improved varieties of processed central alfalfa seed as follows:

(1) $5.00 for State Sealed and Certified BLUE Tag.
(2) $3.00 for State Sealed and Certified RED Tag.
(3) $1.00 for State Sealed and Certified YELLOW Tag.

SEC. 2.8 *Basic maximum price for the sale of processed southern alfalfa seed.* The basic maximum price for the sale of processed southern alfalfa seed shall be as follows:

(a) $29.00 per 100 pounds if meeting the following specifications:

(1) Over 99.25% pure seed.
(2) Over 90% germination and hard seed.
(3) Less than .25% weed seeds of any kind.
(4) Less than 9 noxious weed seeds per pound.
(5) Less than .25% sweet clover.

(b) The price per 100 pounds as set forth below for the following specifications:

PERCENTAGES OF TOTAL GERMINATION AND HARD SEED

Pure seed percentage	90% or more	89% to 85%	84% to 80%	79% to 75%	74% to 70%	69% to 65%	64% to 60%	59% to 55%	54% to 50%	49% to 45%	44% to 40%	Below 40%
99% or more	28.00	26.60	25.20	23.80	22.40	19.60	16.80	14.00	11.20	8.40	5.60	2.80
98–98.9%	27.15	25.75	24.35	22.95	21.55	18.75	15.95	13.15	10.35	7.55	4.75	1.95
97–97.9%	26.30	24.90	23.50	22.10	20.70	17.90	15.10	12.30	9.50	6.70	3.90	1.10
96–96.9%	25.45	24.05	22.65	21.25	19.85	17.05	14.25	11.45	8.65	5.85	3.05	.25
95–95.9%	24.60	23.20	21.80	20.40	19.00	16.20	13.40	10.60	7.80	5.00	2.20	------
94–94.9%	23.75	22.35	20.95	19.55	18.15	15.35	12.55	9.75	6.95	4.15	1.35	------
93–93.9%	22.90	21.50	20.10	18.70	17.30	14.50	11.70	8.90	6.10	3.30	.50	------
92–92.9%	22.05	20.65	19.25	17.85	16.45	13.65	10.85	8.05	5.25	2.45	------	------
91–91.9%	21.20	19.80	18.40	17.00	15.60	12.80	10.00	7.20	4.40	1.60	------	------
90–90.9%	20.35	18.95	17.55	16.15	14.75	11.95	9.15	6.35	3.55	.75	------	------
89–89.9%	19.80	18.40	17.00	15.60	14.20	11.40	8.60	5.80	3.00	.20	------	------
88–88.9%	19.25	17.85	16.45	15.05	13.65	10.85	8.05	5.25	2.45	------	------	------
87–87.9%	18.70	17.30	15.90	14.50	13.10	10.30	7.50	4.70	1.90	------	------	------
86–86.9%	18.15	16.75	15.35	13.95	12.55	9.75	6.95	4.15	1.35	------	------	------
85–85.9%	17.60	16.20	14.80	13.40	12.00	9.20	6.40	3.60	.80	------	------	------
84–84.9%	17.05	15.65	14.25	12.85	11.45	8.65	5.85	3.05	.25	------	------	------
83–83.9%	16.50	15.10	13.70	12.30	10.90	8.10	5.30	2.50	------	------	------	------
82–82.9%	15.95	14.55	13.15	11.75	10.35	7.55	4.75	1.95	------	------	------	------
81–81.9%	15.40	14.00	12.60	11.20	9.80	7.00	4.20	1.40	------	------	------	------
80–80.9%	14.85	13.45	12.05	10.65	9.25	6.45	3.65	.85	------	------	------	------
Below 80%	Extend table in accordance with foregoing ratios.											

The prices in the foregoing table shall be reduced per 100 pounds of seed as follows:

(1) For weed seed content:

Weed seed content:	Amount deducted
Less than 0.50%	None
0.50–1.00%	$0.40
1.01–1.50%	.80
1.51–2.00%	1.20
2.01–2.50%	1.60
2.51–3.00%	2.00
3.01–3.50%	2.40
3.51–4.00%	2.80
4.01–4.50%	3.20
4.51–5.00%	3.60
Over 5%	[1] .40

[1] For each additional one-half percent or fraction thereof over 5%.

(2) For noxious weed seed content:

Noxious weed seeds per pound of seed:	Amount deducted per 100 pounds of seed
Less than 9 per pound	None
9–36 per pound	$0.50
37–63 per pound	1.00
64–100 per pound	1.50
101–150 per pound	2.00
Above 150 per pound	2.50

(3) For sweetclover seed content:

Sweetclover seed content:	Amount deducted
Less than 0.50%	None
0.50–1.00%	$0.85
1.01–2.00%	1.70

Sweetclover seed content—Con.	Amount deducted
2.01–3.00%	$2.55
3.01–4.00%	3.40
4.01–5.00%	4.25
5.01–6.00%	5.10
6.01–7.00%	5.95
7.01–8.00%	6.80
8.01–9.00%	7.65
9.01–10.00%	8.50
Over 10%	[1] .85

[1] For each additional one percent or fraction thereof over 10%.

(c) The prices set forth in paragraphs (a) and (b) may be increased per 100 pounds of seed for the sale of Grimm, Cossack, Ladak, Hardigan and Baltic State Certified improved varieties of processed southern alfalfa seed as follows:

(1) $5.00 for State Sealed and Certified BLUE Tag
(2) $3.00 for State Sealed and Certified RED Tag
(3) $1.00 for State Sealed and Certified YELLOW Tag

SEC. 2.9. *Maximum price for sale of processed alfalfa seed by any person other than a processor, wholesaler or retailer.* (a) The maximum price for the sale of processed alfalfa seed per 100 pounds, sacked, by any person other than a processor, wholesaler or retailer shall be the basic maximum price of the processed alfalfa seed in question as set forth in sections 2.6, 2.7 or 2.8, hereof, plus

(1) The maximum service charge for the processing as set forth in Section 2.5 hereof; and

(2) All transportation charges by whomsoever paid in respect thereto including both transportation charges to plant where processed on the gross weight of the unprocessed alfalfa seed used to produce the processed alfalfa seed in question and transportation charges on the processed alfalfa seed from plant where processed to said seller's point of delivery thereof by a usual route and method of transportation.

SEC. 2.10. *Maximum price for sale of processed alfalfa seed by a processor other than as a wholesaler or retailer.* (a) The maximum price for the sale of processed alfalfa seed per 100 pounds, sacked, by a processor other than as a wholesaler or retailer shall be the basic maximum price of the processed alfalfa seed in question as set forth in sections 2.6, 2.7 or 2.8 hereof, plus:

(1) One of the following maximum margins:

(i) $6.50 per 100 pounds in the case of northern or central processed alfalfa seed which he processed.

(ii) $6.00 per 100 pounds in the case of southern processed alfalfa seed which he processed.

(iii) $3.00 per 100 pounds in the case of any processed alfalfa seed which he did not process; and

(2) All transportation charges by whomsoever paid in respect thereto including both transportation charges to plant where processed on the gross weight of the unprocessed alfalfa seed used to produce the processed alfalfa seed in question and transportation charges on the processed alfalfa seed from plant where processed to said seller's point of delivery thereof by a usual route and method of transportation.

SEC. 2.11. *Maximum prices for wholesalers.* The maximum price for the sale of processed northern, central and southern alfalfa seed, sacked, by a wholesaler, shall be $3.90 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under section 2.9 or 2.10 hereof, delivered at his warehouse, plus transportation charges from said warehouse to the buyer's receiving point by a usual route and method of transportation.

SEC. 2.12. *Maximum prices for retailers.* The maximum price for the sale of processed northern and central alfalfa seed, sacked, by a retailer shall be $4.50 (maximum margin) per 100 pounds; and for the sale of processed southern alfalfa seed, $5.00 (maximum margin) per 100 pounds, over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under sections 2.9, 2.10 or 2.11 hereof, delivered at his store or other place of business, plus transportation charges from said store or other place of business to the buyer's receiving point by a usual route and method of transportation.

ARTICLE III—MEDIUM RED, MAMMOTH RED AND ALSIKE CLOVER SEEDS

SEC. 3.1. *Maximum prices for sales of unprocessed medium red, mammoth red and alsike clover seeds by a producer.* (a) The maximum price for the sale of unprocessed medium red and mammoth red clover seed, sacked, by a producer shall be $30.00 per 100 pounds (excluding estimated dockage), plus transportation charges, on the gross weight of the lot actually incurred by the seller from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(b) The maximum price for the sale of unprocessed alsike clover seed, sacked, by a producer shall be $27.00 per 100 pounds (excluding estimated dockage), plus transportation charges on the gross weight of the lot actually incurred by the seller from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(c) The foregoing maximum prices shall be reduced by the reasonable value of all services rendered by the purchaser in connection with the growing, harvesting or loading for transportation of the unprocessed medium red, mammoth red or alsike clover seeds in question.

(d) The foregoing maximum prices may be increased by $1.00 per 100 pounds (excluding estimated dockage) for the sale by a producer of country cleaned medium red, mammoth red or alsike clover seeds, sacked.

SEC. 3.2. *Maximum prices of an independent country assembler.* (a) The maximum price for the sale or delivery of unprocessed medium red, mammoth red and alsike clover seeds, sacked, by an independent country assembler shall be $1.50 (maximum margin) per 100 pounds (excluding estimated dockage) over the maximum price which he could lawfully have paid a producer for the quantity and quality purchased and delivered to him (from out of which lot the sale or delivery is made) plus transportation charges on the gross weight of the lot actually incurred by the seller to the buyer's receiving point.

(b) The foregoing maximum price may be increased by $1.00 per 100 pounds (excluding estimated dockage) for the sale by an independent country assembler of such clover seed which he has had country cleaned.

(c) No seller of processed medium red, mammoth red or alsike clover seeds upon which has been paid an independent country assembler any sum under this section shall add such sum to his maximum margin as elsewhere established hereunder.

SEC. 3.3. *Maximum service charge of a country cleaner.* (a) The maximum service charge of a country cleaner of medium red, mammoth red and alsike clover seeds shall be $1.00 per 100 pounds of the lot of country cleaned seed in question.

(b) No seller of processed medium red, mammoth red or alsike clover seeds upon which has been paid a service charge under this section shall add such charge to his maximum margin as elsewhere established hereunder.

(c) All regulations or parts thereof establishing a maximum service charge for a country cleaner of any medium red, mammoth red or alsike clover seeds are hereby superseded and revoked.

SEC. 3.4. *Maximum service charge for processing.* (a) The maximum service charge for the processing of medium red, mammoth red and alsike clover seeds shall be $3.10 per 100 pounds of the lot of processed medium red, mammoth red or alsike clover seeds in question.

(b) All regulations or parts thereof establishing a maximum service charge for such processing are hereby superseded and revoked.

SEC. 3.5. *Basic maximum price for the sale of processed medium red and mammoth red clover seed.* The basic maximum price for the sale of processed medium red and mammoth red clover seed per 100 pounds sacked shall be as follows:

(a) $31.00 per 100 pounds if meeting the following specifications:

(1) Over 99.25% pure seed.
(2) Over 90% germination and hard seed.
(3) Less than .25% weed seeds of any kind.
(4) Less than 9 noxious weed seeds per pound.

(b) The prices per 100 pounds as set forth below for the following specifications:

PERCENTAGES OF TOTAL GERMINATION AND HARD SEED

Pure seed percentage	90% or more	89% to 85%	84% to 80%	79% to 75%	74% to 70%	69% to 65%	64% to 60%	59% to 55%	54% to 50%	49% to 45%	44% to 40%	Below 40%
99% or more	30.00	28.50	27.00	25.50	24.00	21.00	18.00	15.00	12.00	9.00	6.00	3.00
98-98.9%	29.10	27.60	26.10	24.60	23.10	20.10	17.10	14.10	11.10	8.10	5.10	2.10
97-97.9%	28.20	26.70	25.20	23.70	22.20	19.20	16.20	13.20	10.20	7.20	4.20	1.20
96-96.9%	27.30	25.80	24.30	22.80	21.30	18.30	15.30	12.30	9.30	6.30	3.30	.30
95-95.9%	26.40	24.90	23.40	21.90	20.40	17.40	14.40	11.40	8.40	5.40	2.40	------
94-94.9%	25.50	24.00	22.50	21.00	19.50	16.50	13.50	10.50	7.50	4.50	1.50	------
93-93.9%	24.60	23.10	21.60	20.10	18.60	15.60	12.60	9.60	6.60	3.60	.60	------
92-92.9%	23.70	22.20	20.70	19.20	17.70	14.70	11.70	8.70	5.70	2.70	------	------
91-91.9%	22.80	21.30	19.80	18.30	16.80	13.80	10.80	7.80	4.80	1.80	------	------
90-90.9%	21.90	20.40	18.90	17.40	15.90	12.90	9.90	6.90	3.90	.90	------	------
89-89.9%	21.30	19.80	18.30	16.80	15.30	12.30	9.30	6.30	3.30	.30	------	------
88-88.9%	20.70	19.20	17.70	16.20	14.70	11.70	8.70	5.70	2.70	------	------	------
87-87.9%	20.10	18.60	17.10	15.60	14.10	11.10	8.10	5.10	2.10	------	------	------
86-86.9%	19.50	18.00	16.50	15.00	13.50	10.50	7.50	4.50	1.50	------	------	------
85-85.9%	18.90	17.40	15.90	14.40	12.90	9.90	6.90	3.90	.90	------	------	------
84-84.9%	18.30	16.80	15.30	13.80	12.30	9.30	6.30	3.30	.30	------	------	------
83-83.9%	17.70	16.20	14.70	13.20	11.70	8.70	5.70	2.70	------	------	------	------
82-82.9%	17.10	15.60	14.10	12.60	11.10	8.10	5.10	2.10	------	------	------	------
81-81.9%	16.50	15.00	13.50	12.00	10.50	7.50	4.50	1.50	------	------	------	------
80-80.9%	15.90	14.40	12.90	11.40	9.90	6.90	3.90	.90	------	------	------	------
Below 80%	Extend table in accordance with foregoing ratios.								------	------	------	------

The prices in the foregoing table shall be reduced per 100 pounds as follows:

(1) For weed seed content.

Weed seed content:	*Amount deducted*
Less than 0.50%	None
0.50–1.00%	$0.45
1.01–1.50%	.90
1.51–2.00%	1.35
2.01–2.50%	1.80
2.51–3.00%	2.25
3.01–3.50%	2.70
3.51–4.00%	3.15
4.01–4.50%	3.60
4.51–5.00%	4.05
Over 5.00%	[1].45

[1] For each additional one half per cent or fraction thereof over 5.00%.

(2) For noxious weed seed content.

Noxious weed seeds per pound of seed:	*Amount deducted per 100 lbs. of seed*
Less than 9 per lb	None
9–36 per lb	$0.50
37–63 per lb	1.00
64–100 per lb	1.50
101–150 per lb	2.00
Above 150 per lb	2.50

SEC. 3.6. *Basic maximum price for sale of processed alsike clover seed.* The basic maximum price for the sale of processed alsike clover seed per 100 pounds sacked shall be as follows:

(a) $28.00 per 100 pounds if meeting the following specifications:

(1) Over 99.25% pure seed.
(2) Over 90% germination and hard seeds.
(3) Less than .25% weed seeds of any kind.
(4) Less than 9 noxious weed seeds per pound.

(b) The prices per 100 pounds as set forth below for the following specifications:

PERCENTAGES OF TOTAL GERMINATION AND HARD SEED

Pure seed percentage	90% or more	89% to 85%	84% to 85%	79% to 75%	74% to 70%	69% to 65%	64% to 60%	59% to 55%	54% to 50%	49% to 45%	44% to 40%	Below 40%
99% or more	27.00	25.65	24.30	22.95	21.60	18.90	16.20	13.50	10.80	8.10	5.40	2.70
98-98.9%	26.20	24.85	23.50	22.15	20.80	18.10	15.40	12.70	10.00	7.30	4.60	1.90
97-97.9%	25.40	24.05	22.70	21.35	20.00	17.30	14.60	11.90	9.20	6.50	3.80	1.10
96-96.9%	24.60	23.25	21.90	20.55	19.20	16.50	13.80	11.10	8.40	5.70	3.00	.30
95-95.9%	23.80	22.45	21.10	19.75	18.40	15.70	13.00	10.30	7.60	4.90	2.20	------
94-94.9%	23.00	21.65	20.30	18.95	17.60	14.90	12.20	9.50	6.80	4.10	1.40	------
93-93.9%	22.20	20.85	19.50	18.15	16.80	14.10	11.40	8.70	6.00	3.30	.60	------
92-92.9%	21.40	20.05	18.70	17.35	16.00	13.30	10.60	7.90	5.20	2.50	------	------
91-91.9%	20.60	19.25	17.90	16.55	15.20	12.50	9.80	7.10	4.40	1.70	------	------
90-90.9%	19.80	18.45	17.10	15.75	14.40	11.70	9.00	6.30	3.60	.90	------	------
89-89.9%	19.25	17.90	16.55	15.20	13.85	11.15	8.45	5.75	3.05	.35	------	------
88-88.9%	18.70	17.35	16.00	14.65	13.30	10.60	7.90	5.20	2.50	------	------	------
87-87.9%	18.15	16.80	15.45	14.10	12.75	10.05	7.35	4.65	1.95	------	------	------
86-86.9%	17.60	16.25	14.90	13.55	12.20	9.50	6.80	4.10	1.40	------	------	------
85-85.9%	17.05	15.70	14.35	13.00	11.65	8.95	6.25	3.55	.85	------	------	------
84-84.9%	16.50	15.15	13.80	12.45	11.10	8.40	5.70	3.00	.30	------	------	------
83-83.9%	15.95	14.60	13.25	11.90	10.55	7.86	5.15	2.45	------	------	------	------
82-82.9%	15.40	14.05	12.70	11.35	10.00	7.30	4.60	1.90	------	------	------	------
81-81.9%	14.85	13.50	12.15	10.80	9.45	6.75	4.05	1.35	------	------	------	------
80-80.9%	14.30	12.95	11.60	10.25	8.90	6.20	3.50	.80	------	------	------	------
Below 80%	Extend table in accordance with foregoing ratios.								------	------	------	------

The prices in the foregoing table shall be reduced per 100 pounds as follows:

(1) For weed seed content:

Weed seed content:	*Amount deducted*
Less than 0.50%	None
0.50–1.00%	$0.40
1.01–1.50%	.80
1.51–2.00%	1.20
2.01–2.50%	1.60
2.51–3.00%	2.00
3.01–3.50%	2.40
3.51–4.00%	2.80
4.01–4.50%	3.20
4.51–5.00%	3.60
Over 5.00%	[1].40

[1] For each additional one-half per cent or fraction thereof over 5.00%.

(2) For noxious weed seed content:

Noxious weed seeds per pound of seed:	*Amount deducted per 100 lbs. of seed*
Less than 9 per lb	None
9–36 per lb	$0.50
37–63 per lb	1.00
64–100 per lb	1.50
101–150 per lb	2.00
Above 150 per lb	2.50

SEC. 3.7. *Maximum price for sale of processed medium red, mammoth red and alsike clover seeds by any person other than a processor, wholesaler or retailer.* (a) The maximum price for the sale of processed medium red, mammoth red and alsike clover seeds per 100 pounds, sacked, by any person other than a processor, wholesaler or retailer shall be the basic maximum price of the processed clover seed in question as set forth in section 3.5 or 3.6 hereof, plus

(1) The maximum service charge for the processing as set forth in section 3.4 hereof, and

(2) All transportation charges by whomsoever paid in respect thereto including both transportation charges to plant where processed on the gross weight of the unprocessed clover seed used to produce the processed clover seed in question and transportation charges on the processed clover seed from plant where processed to said seller's point of delivery thereof by a usual route and method of transportation.

SEC. 3.8. *Maximum price for sale of processed medium red, mammoth red and alsike clover seeds by a processor other than as a wholesaler or retailer.* (a) The maximum price for the sale of processed medium red, mammoth red and alsike clover seeds per 100 pounds, sacked, by a processor other than as a wholesaler or retailer shall be the basic maximum price of the processed clover seed in question as set forth in sections 3.5 or 3.6 hereof plus:

(1) $5.85 (maximum margin) per 100 pounds if he processed the clover seed in question, or $2.75 (maximum margin) per 100 pounds if he did not process the clover seed in question; and

(2) All transportation charges by whomsoever paid in respect thereto including both transportation charges to plant where processed on the gross weight of the unprocessed clover seed used to produce the processed clover seed in question and transportation charges on the processed clover seed from the plant where processed to said seller's point of delivery thereof by a usual route and method of transportation.

SEC. 3.9. *Maximum price for wholesalers.* The maximum price for the sale of processed medium red, mammoth red and alsike clover seeds, sacked, by a wholesaler shall be $3.80 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under sections 3.7 or 3.8 hereof delivered at his warehouse plus transportation charges from said warehouse to the buyer's receiving point by a usual route and method of transportation.

SEC. 3.10. *Maximum price for retailers.* The maximum price for the sale of processed medium red, mammoth red and alsike clover seeds sacked, by a retailer shall be $3.85 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under sections 3.7 or 3.8 or 3.9 hereof delivered at his store or other place of business plus transportation charges from said store or other place of business to the buyer's receiving point by a usual route and method of transportation.

ARTICLE IV—SWEET CLOVER SEED

SECTION 4.1. *Maximum prices for sales of unprocessed sweet clover seed by a producer.* (a) The maximum price for the

sale of unprocessed sweet clover seed, sacked, by a producer shall be $10.00 per 100 pounds (excluding estimated dockage), plus transportation charges on the gross weight of the lot actually incurred by the seller from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(b) The foregoing maximum price shall be reduced by the reasonable value of all services rendered by the purchaser in connection with the growing, harvesting or loading for transportation of the unprocessed sweet clover seed in question.

(c) The foregoing maximum price may be increased by .50 per 100 pounds (excluding estimated dockage) for the sale by a producer of country cleaned sweet clover seed, sacked.

SEC. 4.2. *Maximum prices of an independent country assembler.* (a) The maximum price for the sale or delivery of unprocessed sweet clover seed, sacked, by an independent country assembler shall be $0.40 (maximum margin) per 100 pounds (excluding estimated dockage) over the maximum price which he could lawfully have paid a producer for the quantity and quality purchased and delivered to him (from out of which lot the sale or delivery is made) plus transportation charges on the gross weight of the lot actually incurred by the seller from the country shipping point to the buyer's receiving point.

(b) The foregoing maximum price may be increased by .50 per 100 pounds (excluding estimated dockage) for the sale by an independent country assembler of such sweet clover seed which he has had country cleaned.

(c) No seller of processed sweet clover seed upon which has been paid on independent country assembler any sum under this section shall add such sum to his maximum margin as elsewhere established hereunder.

SEC. 4.3. *Maximum service charge of a country cleaner.* (a) The maximum service charge of a country cleaner of sweet clover seed shall be $0.50 per 100 pounds of the lot of country cleaned seed in question.

(b) No seller of processed sweet clover seed upon which has been paid a service charge under this section shall add such charge to his maximum margin as elsewhere established hereunder.

(c) All regulations or parts thereof establishing a maximum service charge for a country cleaner of any sweet clover seed are hereby superseded and revoked.

SEC. 4.4. *Maximum service charge for processing.* (a) The maximum service charge for the processing of sweet clover seed shall be $2.00 per 100 pounds of the lot of processed sweet clover seed in question.

(b) All regulations or parts thereof establishing a maximum service charge for such processing are hereby superseded and revoked.

SEC. 4.5. *Basic Maximum prices for sales of processed sweet clover seed.* The basic maximum price for the sale of processed sweet clover seed, per 100 pounds, sacked, shall be as follows:

(a) $10.25 per 100 pounds if meeting the following specifications:

(1) Over 99.25%, pure seed.
(2) Over 90%, germination and hard seeds.
(3) Less than .25%, weed seeds of any kind.
(4) Less than 9, noxious weed seeds per pound.

(b) The prices per 100 pounds as set forth below for the following specifications:

PERCENTAGE OF TOTAL GERMINATION

Pure seed percentage	90–85%	84–80%	79–75%	74–70%	Below 70%
99% or more	10.00	9.50	9.00	8.50	8.00
98–98.9%	9.50	9.00	8.50	8.00	7.50
97–97.9%	9.00	8.50	8.00	7.50	7.00
96–96.9%	8.50	8.00	7.50	7.00	6.50
95–95.9%	8.00	7.50	7.00	6.50	6.00
Below 95%	Extend table in accordance with foregoing ratios.				

The prices in the foregoing table shall be reduced per 100 pounds of seed as follows:

(1) For weed seed content:

Weed seed content:	*Amount deducted*
Less than 0.50%	None
0.50–1.00%	$0.20
1.01–1.50%	.40
1.51–2.00%	.60
2.01–2.50%	.80
2.51–3.00%	1.00
3.01–3.50%	1.20
3.51–4.00%	1.40
4.01–4.50%	1.60
4.51–5.00%	1.80
Over 5%	[1] 1.20

[1] For each additional one-half percent or fraction thereof over 5%.

(2) For noxious weed seed content:

Noxious weed seeds per pound of seed:	*Amount deducted per 100 lbs. of seed*
Less than 9 per lb	None
9–36 per lb	$0.25
37–63 per lb	.50
64–100 per lb	.75
101–150 per lb	1.00
Above 150 per lb	1.25

SEC. 4.6. *Maximum prices for sales of processed sweet clover seed by any person other than a processor, wholesaler or retailer.* (a) The maximum price for the sale of processed sweet clover seed per 100 pounds, sacked, by any person other than a processor, wholesaler or retailer shall be the basic maximum price of the processed sweet clover seed in question as set forth in section 4.5 hereof, plus

(1) The maximum service charge for the processing as set forth in section 4.4 hereof, and

(2) All transportation charges by whomsoever paid in respect thereto including both transportation charges to plant where processed on the gross weight of the unprocessed sweet clover seed used to produce the processed sweet clover seed in question and transportation charges on the processed sweet clover seed from plant where processed to said seller's point of delivery thereof by a usual route and method of transportation.

SEC. 4.7. *Maximum price for sale of processed sweet clover seed by a processor other than as a wholesaler or retailer.* (a) The maximum price for the sale of processed sweet clover seed per 100 pounds, sacked, by a processor other than as a wholesaler or retailer shall be the basic maximum price of the processed clover seed in question as set forth in sections 4.5 hereof plus:

(1) $3.75 (maximum margin) per 100 pounds if he processed the clover seed in question or $1.75 (maximum margin) per 100 pounds if he did not process the clover seed in question; and

(2) All transportation charges by whomsoever paid in respect thereto including both transportation charges to plant where processed on the gross weight of the unprocessed sweet clover seed used to produce the processed sweet clover seed in question and transportation charges on the processed sweet clover seed from the plant where processed to said seller's point of delivery thereof by a usual route and method of transportation.

SEC. 4.8. *Maximum price for wholesalers.* The maximum price for the sale of processed sweet clover seed, sacked, by a wholesaler shall be $2.25 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under sections 4.6 or 4.7 hereof delivered at his warehouse plus transportation charges from said warehouse to the buyer's receiving point by a usual route and method of transportation.

SEC. 4.9. *Maximum price for retailers.* The maximum price for the sale of processed sweet clover seed, sacked, by a retailer shall be $3.00 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under sections 4.6, 4.7 or 4.8 hereof delivered at his store or other place of business plus transportation charges from said store or other place of business to the buyer's receiving point by a usual route and method of transportation.

ARTICLE V—TIMOTHY SEED

SEC. 5.1. *Maximum prices for sales of unprocessed timothy seed by a producer.* (a) The maximum price for the sale of unprocessed timothy seed, sacked, by a producer, shall be $7.30 per 100 pounds excluding estimated dockage, plus transportation charges on the gross weight of the lot actually incurred by the seller from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(b) The foregoing maximum price shall be reduced by the reasonable value of all services rendered by the purchaser in connection with the growing, harvesting or loading for transportation of the unprocessed timothy seed in question.

(c) The foregoing maximum price may be increased by .40 per 100 pounds (excluding estimated dockage) for the sale by a producer of country cleaned timothy seed sacked.

SEC. 5.2. *Maximum prices for an independent country assembler.* (a) The maximum price for the sale or delivery of unprocessed timothy seed, sacked, by an independent country assembler shall be $0.35 (maximum margin) per 100

pounds (excluding estimated dockage) over the maximum price which he could lawfully have paid a producer for the quantity and quality purchased and delivered to him (from out of which lot the sale or delivery is made) plus transportation charges on the gross weight of the lot actually incurred by the seller from the country shipping point to the buyer's receiving point.

(b) The foregoing maximum price may be increased by .40 per 100 pounds (excluding estimated dockage) for the sale by an independent country assembler of such timothy seed which he has had country cleaned.

(c) No seller of processed timothy seed upon which has been paid an independent country assembler any sum under this section shall add such sum to his maximum margin as elsewhere established hereunder.

SEC. 5.3. *Maximum service charge of a country cleaner.* (a) The maximum service charge of a country cleaner of timothy seed shall be $0.50 per 100 pounds of the lot of country cleaned seed in question.

(b) No seller of processed timothy seed upon which has been paid a service charge under this section shall add such charge to his maximum margin as elsewhere established hereunder.

(c) All regulations or parts thereof establishing a maximum service charge for a country cleaner of any timothy seed are hereby superseded and revoked.

SEC. 5.4. *Maximum service charge for processing.* (a) The maximum service charge for the processing of timothy seed shall be $1.30 per 100 pounds of the lot of processed timothy seed in question.

(b) All regulations or parts thereof establishing a maximum service charge for such processing are hereby superseded and revoked.

SEC. 5.5. *Basic maximum prices for sales of processed timothy seed.* (a) The basic maximum price for the sale of processed timothy seed, per 100 pounds, sacked shall be as set forth below:

PERCENTAGE OF TOTAL GERMINATION

Pure seed percentage	90% or more	89.9–85.0%	84.9–80.0%	Below 80.0%
99.5% or more	7.30	7.05	6.80	6.30
99–99.4%	7.05	6.80	6.55	6.05
98–98.9%	6.80	6.55	6.30	5.80
97–97.9%	6.55	6.30	6.05	5.55
96–96.9%	6.30	6.05	5.80	5.30
95–95.9%	6.05	5.80	5.55	5.05
Below 95%	Extend table in accordance with foregoing ratios.			

The prices in the foregoing table shall be reduced per 100 pounds of seed as follows:

(1) For weed seed content:

Weed seed content:	*Amount deducted*
Less than 0.50%	None
0.50–1.00%	$0.15
1.01–1.50%	.30
1.50–2.00%	.45
2.01–2.50%	.60
2.51–3.00%	.75
3.01–3.50%	.90
3.51–4.00%	1.05
4.01–4.50%	1.20
4.51–5.00%	1.35
Over 5%	[1].15

[1] For each additional one half per cent or fraction thereof over 5%.

(2) For noxious weed seed content:

Noxious weed seeds per pound of seed:	*Amount deducted per 100 lbs. of seed*
Less than 9 per lb	None
9–36 per lb	$0.20
37–63 per lb	.40
64–100 per lb	.60
101–150 per lb	.80
Above 150 per lb	1.00

SEC. 5.6. *Maximum prices for sales of processed timothy seed by any person other than a processor, wholesaler or retailer.* (a) The maximum price for the sale of processed timothy seed per 100 pounds, sacked, by any person other than a processor, wholesaler or retailer shall be the basic maximum price of the processed timothy seed in question as set forth in section 5.5 hereof, plus

(1) The maximum service charge for the processing as set forth in section 5.4 hereof, and

(2) All transportation charges by whomsoever paid in respect thereto including both transportation charges to plant where processed on the gross weight of the unprocessed timothy seed used to produce the processed timothy seed in question and transportation charges on the processed timothy seed from plant where processed to said seller's point of delivery thereof by a usual route and method of transportation.

SEC. 5.7. *Maximum price for sale of processed timothy seed by a processor other than as a wholesaler or retailer.* (a) The maximum price for the sale of processed timothy seed per 100 pounds, sacked, by a processor other than as a wholesaler or retailer shall be the basic maximum price of the processed timothy seed in question as set forth in section 5.5 hereof plus;

(1) $2.15 (maximum margin) per 100 pounds if he processed the timothy seed in question or $0.85 (maximum margin) per 100 pounds if he did not process the timothy seed in question; and,

(2) All transportation charges by whomsoever paid in respect thereto including both transportation charges to plant where processed on the gross weight of the unprocessed timothy seed used to produce the processed timothy seed in question and transportation charges on the processed timothy seed from the plant where processed to said seller's point of delivery thereof by a usual route and method of transportation.

SEC. 5.8. *Maximum price for wholesalers.* The maximum price for the sale of processed timothy seed, sacked, by a wholesaler shall be $1.40 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under sections 5.6 or 5.7 hereof delivered at his warehouse plus transportation charges from said warehouse to the buyer's receiving point by a usual route and method of transportation.

SEC. 5.9. *Maximum price for retailers.* The maximum price for the sale of processed timothy seed, sacked, by a retailer shall be $2.20 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under sections 5.6, 5.7 or 5.8 hereof delivered at his store or other place of business plus transportation charges from said store or other place of business to the buyer's receiving point by a usual route and method of transportation.

ARTICLE VI—LEGUME AND GRASS PROCESSED SEED MIXTURES

SEC. 6.1. *Definitions specifically applicable to legume and grass seed mixtures.* (a) As used in this article the following terms shall have the following meanings:

(1) "Processed legume and grass seed mixture" is a mixture of processed legume and/or grass seeds subject to this regulation, consisting of more than one kind or variety of such legume and/or grass seeds, each present in excess of 5 percent of the whole.

(2) "Processor" is one who produces a processed legume and grass seed mixture by mixing two or more kinds or varieties of legume and/or grass seeds into such mixture.

SEC. 6.2. *Maximum price for mixtures of processed alsike clover seed and white Dutch clover seed.* (a) The maximum price of any processor for a sale of a mixture of processed alsike clover seed and more than 5 percent of processed white Dutch clover seed per 100 pounds, sacked, shall be the maximum price for a like sale of 100 pounds, sacked, of processed alsike clover seed with a purity and germination equal to the combined purity and germination of all processed alsike clover seed and processed white Dutch clover seed in 100 pounds of such mixture and with weed seed and noxious weed seed content equal to the weed seed and noxious weed seed content in 100 pounds of such mixture, plus an addition at the rate of 23 cents per pound for each 1 pound or fraction thereof over 5 percent of processed white Dutch clover seed per each 100 pounds of the lot.

(b) The maximum price for the sale of a mixture of processed alsike clover seed and more than 5 percent of processed white Dutch clover seed, sacked, by a wholesaler shall be $3.80 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under paragraph (a) of this Section delivered at his warehouse plus transportation charges from said warehouse to the buyer's receiving point by a usual route and method of transportation.

(c) The maximum price for the sale of a mixture of alsike clover seed and more than 5 percent of processed white Dutch clover seed, sacked, by a retailer shall be $3.85 (maximum margin) per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under paragraphs (a) or (b) of this Section delivered at his store or other place of business plus transportation charges from said store or other place of business to the buyer's receiving point by a usual route and method of transportation.

SEC. 6.3. *Maximum price for mixtures of processed timothy seed and processed alsike clover seed.* (a) The maximum

price of a processor for a sale of a mixture of processed timothy seed and processed alsike clover seed per 100 pounds, sacked, shall be determined as follows:

(1) Determine the exact percentage of processed timothy seed in 100 pounds of the mixture and multiply that percentage by the appropriate basic maximum price per 100 pounds, sacked, of processed timothy seed according to the actual purity and germination of the processed timothy seed in the mixture.

(2) Determine the exact percentage of processed alsike clover seed per 100 pounds of the mixture and mutiply that percentage by the appropriate maximum price per 100 pounds, sacked, of processed alsike clover seed according to the actual purity and germination of the processed alsike clover seed in the mixture.

(3) Total the results of subparagraphs (1) and (2) above and deduct for the weed seed content and the noxious-weed seed content in 100 pounds of mixture the amounts which would be deducted therefor in computing a basic maximum price for a sale of 100 pounds of the principal component of the mixture.

(4) Add to the resultant figure all transportation charges by whomsoever paid in respect thereto including transportation charges to the plant where the unprocessed seeds were processed and where the processed seeds were mixed and transportation charges from the place where mixed to said seller's point of delivery thereof by a usual route and method of transportation.

(b) The maximum price for the sale of a mixture of processed timothy seed and processed alsike clover seed, sacked, by a wholesaler shall be a maximum margin, as hereinafter determined, per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under paragraph (a) of this section delivered at his warehouse plus transportation charges from said warehouse to the buyer's receiving point by a usual route and method of transportation. Said maximum margin shall be determined by multiplying the exact percentage of processed timothy seed in 100 pounds of the mixture by the maximum margin of a wholesaler for a like sale of 100 pounds of processed timothy seed, sacked; and by multiplying the exact percentage of processed alsike clover seed in 100 pounds of mixture by the maximum margin of a wholesaler for a like sale of 100 pounds of processed alsike clover seed, sacked, and by totaling the results.

(c) The maximum price for the sale of a mixture of processed timothy seed and processed alsike clover seed, sacked, by a retailer shall be a maximum margin, as hereinafter determined, per 100 pounds over the maximum price he could lawfully have paid for the lot in question (from out of which his sale is made) under paragraphs (a) or (b) of this section delivered at his store or other place of business plus transportation charges from said store or other place of business to the buyer's receiving point by a usual route and method of transportation. Said maximum margin shall be determined by multiplying the exact percentage of processed timothy seed in 100 pounds of the mixture by the maximum margin of a retailer for a like sale of 100 pounds of processed timothy seed, sacked; and by multiplying the exact percentage of processed alsike clover seed in 100 pounds of the mixture by the maximum margin of a retailer for a like sale of 100 pounds of processed alsike clover seed, sacked; and by totaling the results.

SEC. 6.4. *Maximum price for other legume and grass processed seed mixtures.* The maximum price for the sale by any seller of any other legume and grass processed seed mixture per 100 pounds, sacked, shall be the same as for a like sale by a like class of seller per 100 pounds, sacked, of the principal component of such mixture according to its purity and germination as actually occurring in 100 pounds of the mixture and with deduction for weed seed content and noxious weed seed content and other factors, if any (which would be made in such a sale of said principal component), actually present in 100 pounds of the mixture.

This regulation shall become effective September 29, 1943.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of September 1943.

GEORGE J. BURKE,
Acting Administrator.

Approved: September 11, 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-15539; Filed, September 23, 1943; 5:01 p. m.]

PART 1449—CHARCOAL

[MPR 431,[1] Amdt. 3]

CHARCOAL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Appendix A (a) (1) (iii) is amended to read as follows:

(iii) *Produced in Tennessee and Arkansas.*

Lump charcoal in bulk	$27.00
Lump charcoal in bags (bags included)	35.00
Granulated charcoal in bags, ground and sized, (bags included)	34.50
Midget Briquettes in bulk	38.00
Midget Briquettes (bags included)	47.00
Standard Briquettes in bags (bags included)	40.00
Soft Waterproof Briquettes (bags included)	40.00
Charcoal screenings	19.40

This amendment shall become effective September 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-15532; Filed, September 23, 1943; 5:00 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9628, 11444, 12444.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14[1] to GMPR 2,[2] Amdt. 81]

HEARTH BREAD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1.23 is added to read as follows:

SEC. 1.23 *Maximum prices for sales by bakers of hearth bread in specified areas.* (a) The maximum price for sales of hearth bread in the New York Metropolitan area and in the City of Newburgh, New York, and in the Counties of Camden, Gloucester, Salem, Cumberland and Atlantic, New Jersey, shall be and remain the maximum price of each seller as determined under the provisions of § 1499.2 and other applicable sections of the General Maximum Price Regulation: *Provided,* That any baker may increase the weight of his loaves up to a weight 20 percent over the weight of his loaves as produced during March 1942, and in such case the baker and all other sellers of such increased loaves may increase their aforesaid maximum price proportionately, per ounce of weight.

(b) Except as otherwise specified in this or other sections of this supplementary regulation, the maximum price for all sales of bread shall be and remain subject to the provisions of the General Maximum Price Regulation.

(c) As used in this section the following terms shall have the following meanings:

(1) "Hearth bread" means any bread baked on the hearth of any oven without the aid of any pan, form or screen.

(2) "New York Metropolitan area" includes the boroughs of Manhattan, Brooklyn, Bronx and Queens, and the counties of Westchester, Richmond, Nassau and Suffolk.

This amendment shall become effective September 29, 1943.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-15540; Filed, September 23, 1943; 5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 106 Under SR 15 to GMPR]

FISCHBACH TRUCKING COMPANY

Order No. 106 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-3353.

For the reasons set forth in an opinion issued simultaneously herewith *It is ordered:*

§ 1499.2206 *Adjustment of maximum prices for contract carrier services of*

[1] 8 F.R. 9787, 9880, 10432, 10566, 10433, 10668, 10731, 10759, 10763, 10939, 10674, 10984, 10758, 11174, 11182, 11247, 11215, 11479, 11572, 11754, 11873, 12325, 12406, 12139.

[2] 3096, 3849, 4347, 4486, 4724, 4978, 4843, 6047, 6962, 8511, 9025, 9991, 11955.

C. B. Fischbach doing business as Fischbach Trucking Company of Akron, Ohio. (a) C. B. Fischbach doing business as Fischbach Trucking Company of Akron, Ohio, may sell and deliver contract carrier services to the Kroger Grocery and Baking Company, of Cincinnati, Ohio, Stokely Brothers & Company, Inc., and Van Camp's of Indianapolis, Indiana, at rates not to exceed those set forth in Schedule "A–2" annexed to his application for adjustment.

(b) All requests for the application not granted herein are denied.

(c) This Order No. 106 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 106 (§ 1499.2206) shall become effective as of September 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–15535; Filed, September 23, 1943; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 107 Under SR 15 to GMPR]

RYAN OF BOSTON, INC.

Order No. 107 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3–3310.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.2207 *Adjustment of maximum prices for contract carrier services furnished by Ryan of Boston, Inc.* (a) Ryan of Boston, Inc., Somerville, Massachusetts, may sell and furnish contract carrier services to First National Stores, Inc. and Ward Baking Company in connection with the transportation of bread, groceries, meats, vegetables and perishable food products from, to and between points in Maine, New Hampshire, Massachusetts, Rhode Island and Vermont at prices no higher than 4% above its March 1942 rates.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 107 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 107 (§ 1499.2207) shall become effective September 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–15536; Filed, September 23, 1943; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 248 Under § 1499.18 (b) of GMPR]

INSTO COMPANY

Order No. 248 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3–1537.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

§ 1499.1848 *Denial of application of The Insto Company for adjustment of its maximum prices for "Insto."* The petition of The Insto Company, 110 Center Street, Los Angeles, California, for an adjustment of its maximum prices for its product "Insto," pursuant to § 1499.18 (b) and (c) of the General Maximum Price Regulation, is denied.

This order shall become effective September 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–15537; Filed, September 23, 1943; 4:58 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[Supp. 1 to RO 9A, Amdt. 1]

STOVES

Correction

The serial number assigned by the Division of the Federal Register to the document appearing on page 13024 of the issue for Friday, September 24, 1943, has been changed from F.R. Doc. 43–15479 to F.R. Doc. 43–15479A.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amdt. 34]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 14 to Maximum Price Regulation 280 is amended to read as follows:

This amendment shall become effective February 22, 1943, and terminate on November 23, 1943.

This Amendment No. 34 shall become effective September 23, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5165, 7566, 6357, 7196, 7599, 7670, 8065, 8180, 9521, 9386, 9883, 10513, 11811.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–15528; Filed, September 23, 1943; 5:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A[1] to the GMPR, Amdt. 4]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of § 1499.73a (a) (1a), as provided for in Amendments 119 and 184 to Supplementary Regulation 14 and Amendment 2 to Supplementary Regulation 14A, is amended to read as follows:

This amendment shall become effective February 22, 1943 and shall terminate on November 23, 1943.

This Amendment No. 4 shall become effective September 23, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–15533; Filed, September 23, 1943; 4:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended, Supp. Service Reg. 19]

OIL BURNER SERVICES

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 19, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 19 is hereby issued.

§ 1499.671 *Modification of maximum hourly or per-call prices established by Maximum Price Regulation No. 165, as amended, for the maintenance and repair of oil burners burning No. 5 oil or lighter on either an hourly rate basis or a per call basis.* (a) The prices specified below are the maximum prices to be charged by any person for the maintenance and repair of oil burners burning No. 5 oil or lighter, operating on either an hourly rate or a per-call rate basis within the

[1] 8 F.R. 9885, 10514.

forty-eight states of the United States and the District of Columbia except that;

(1) Suppliers operating on an hourly rate basis whose maximum prices under Maximum Price Regulation No. 165, as amended, are higher than those specified in this paragraph (a) and who have filed in accordance with the requirements of § 1499.108 (b) of that regulation shall retain those maximum prices; and

(2) Suppliers operating on an hourly rate basis whose maximum prices under Maximum Price Regulation No. 165, as amended, are higher than those specified in this paragraph (a) and who have not filed in accordance with the requirements of § 1499.108 (b) of that regulation may retain those maximum prices only if such suppliers file a statement with their local war price and rationing board on or before November 1, 1943, setting forth their maximum prices so established, including provisions relative to mileage charges, and the method of computing such maximum prices, whether on the basis of actual time spent on the job or on the basis of time spent going to and from the job. If the required statement is not filed on or before November 1, 1943, the maximum prices for such suppliers shall not exceed the prices specified below in this paragraph (a); *Provided,* That if any such supplier files the required statement at any time subsequent to November 1, 1943, the prices so filed, if in accordance with the provisions of Maximum Price Regulation No. 165, as amended, shall be deemed to be the maximum prices.

(3) Suppliers operating on a per-call basis whose maximum prices per call under Maximum Price Regulation No. 165, as amended, are higher than the hourly rates for the first hour specified in this paragraph (a) for their locality and who have filed in accordance with the requirements of § 1499.108 (b) of that regulation may either:

(i) Retain those maximum prices or,

(ii) Convert to an hourly rate basis and establish maximum prices on an hourly rate basis not higher than the hourly rates specified in this paragraph (a) for their locality;

(4) Suppliers operating on a per-call basis whose maximum prices per-call under Maximum Price Regulation No. 165, as amended, are higher than the hourly rates for the first hour specified in this paragraph (a) for their locality and who have not filed in accordance with the requirements of § 1499.108 (b) may retain those maximum prices only if such suppliers file a statement with the local war price and rationing board on or before November 1, 1943, setting forth their maximum prices so established. If the required statement is not filed on or before November 1, 1943, such suppliers shall be required to convert to an hourly rate basis and their maximum prices on an hourly rate basis shall not exceed the prices specified below in this paragraph (a): *Provided,* That if any such supplier files the required statement at any time subsequent to November 1, 1943, the prices so filed, if in accordance with the provisions of Maximum Price Regulation No. 165, as amended, shall be deemed to be the maximum prices.

For the purpose of this supplementary regulation the term "per-call" shall mean a service call for which a specific charge is made regardless of the length of time consumed in furnishing the required service.

(5) Suppliers whose present rates are lower than those set forth in paragraph (a) below or who are required to furnish oil burner maintenance and repair services without charge in conjunction with the sale of No. 5 oil or lighter, may on and after September 23, 1943, charge no more than the rates set forth in paragraph (a) below.

TABLE OF HOURLY RATES

	First hour	Second and succeeding hours
In cities of 500,000 population or more	$2.50	$1.75
In cities of 100,000 to 500,000 population	2.00	1.50
In cities of less than 100,000 population	1.50	1.25

NOTE 1: Population figures shall be based upon the 1940 census as determined by the Bureau of the Census.

NOTE 2: The above rates are inclusive of mileage and all other charges. There may not be added any amounts representing mileage charges or for time spent going to and from the job, or for any other reason.

(b) *Posting of maximum prices.* All oil burner service suppliers whose properly established rates are higher than those set forth in paragraph (a) above, shall post in a conspicuous place in their establishments a duplicate of the statement filed with their local war price and rationing board, showing thereon the date on which the statement was filed.

(c) *Violations.* Compliance with the provisions of this supplementary service regulation shall not have the effect of releasing or extinguishing any penalty or liability incurred under Maximum Price Regulation No. 165, as amended, but such price regulation or part thereof shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution or proceeding with respect to such penalty or liability.

(d) Each Regional Administrator of the Office of Price Administration and such District Directors of the Office of Price Administration as may be designated by the appropriate Regional Administrator are hereby authorized to suspend the effectiveness of this Supplementary Service Regulation No. 19 or any part thereof or to extend the filing date for any community or area within any such region when, in the judgment of the designated officer, such action is deemed necessary or desirable to effectuate the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

This Supplementary Service Regulation No. 19 does not modify rental rates established under or subject to Maximum Price Regulation No. 165, as amended, for oil burners burning No. 5 oil or lighter.

Effective date. This Supplementary Service Regulation No. 19 (§ 1499.671) shall be effective September 23, 1943.

NOTE: All reporting and record keeping requirements of this Supplementary Service Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of September 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-15534; Filed, September 23, 1943; 4:59 p. m.]

Chapter XVII—Office of Civilian Defense

[Regulations 8, Revised]

PART 1903—UNITED STATES CITIZENS DEFENSE CORPS

ORGANIZATION AND INSIGNIA

By virtue of the authority vested in me by Executive Order No. 8757, dated May 20, 1941, as amended by Executive Order No. 9134, dated April 15, 1942, and Executive Order No. 9088, dated March 6, 1942, and pursuant to the Act approved January 27, 1942, and in accordance with Article 13 of Executive Order No. 9088, dated March 6, 1942, authorizing the Director of Civilian Defense to make and issue such rules, regulations and orders as he may deem necessary or desirable to carry out the purposes of the aforementioned Act of January 27, 1942, the following regulations are hereby made and issued:

Sec.

1903.1 Statutory and executive authority.
1903.2 Definitions.
1903.3 Services and units.
1903.4 Insignia.
1903.5 Eligibility.
1903.6 Registration for training.
1903.7 Training.
1903.8 Method of appointment.
1903.9 Oath.
1903.10 Certificate of membership.
1903.11 Enrollment.
1903.12 Duties.
1903.13 Termination or suspension of membership in United States Citizens Defense Corps.
1903.14 Status and compensation of members.
1903.15 Loaned equipment.
1903.16 Organization and command of local Defense Corps.
1903.17 Organization of State sections and divisions of Citizens Defense Corps.
1903.18 Effective date.

AUTHORITY: §§ 1903.1 to 1903.18, inclusive, issued under 56 Stat. 19, 50 U.S.C. App. 741, 742; E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2887.

§ 1903.1 *Statutory and executive authority.* (a) The Act approved January 27, 1942 (Public Law 415, 77th Cong., 56 Stat. 19, section 2 thereof; 50 U.S.C. App. 742), provides:

It shall be unlawful for any person to wear any insignia, arm band, or other distinctive article prescribed by the Director of Civilian Defense except in accordance with the regulations promulgated under the authority of section 1 hereof.

The regulations referred to have been promulgated in Executive Order No.

9088, dated March 6, 1942, which provide, in Article 12 thereof:

The Director of Civilian Defense may prescribe insignia, arm bands, and other distinctive articles which may be worn by persons engaged in civilian defense activities and may establish rules and regulations for the wearing thereof.

Pursuant to Executive Order No. 9088, the Director of Civilian Defense has issued §§ 1902.1 to 1902.9, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2), governing insignia, which regulations provide that it shall be unlawful for any person to use or wear certain official articles embodying prescribed insignia except certain designated groups, including the United States Citizens Defense Corps.

(b) The Act approved January 27, 1942 (Public Law 415, 77th Cong., 56 Stat. 19, section 1 thereof; 50 U.S.C. App. 741), authorizes the Director of Civilian Defense, under such regulations as the President may prescribe, to provide to certain localities, by loans, supplies and equipment for the adequate protection of persons and property from bombing attacks, sabotage, or other war hazards. Executive Order No. 9088, dated March 6, 1942, sets forth the regulations prescribed by the President pursuant to said section 1, and Article 13 thereof authorizes the Director of Civilian Defense to make and issue such rules, regulations, and orders as he may deem necessary or desirable to carry out the purposes of the Act approved January 27, 1942.

Pursuant to Executive Order No. 9088, the Director has issued §§ 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), governing loans of equipment and supplies to civil authorities, which regulations provide, in § 1901.7 thereof, that the property shall be distributed by the borrowing communities in such manner as the Commander of the local United States Citizens Defense Corps shall deem advisable in order to comply with the requirements of law.

Provided, however, That such distribution shall at all times be subject to and in accordance with such rules, regulations, orders, and instructions as the Director of Civilian Defense may make with respect thereto.

Sections 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1) also provide that each borrowing community shall execute an agreement with the Director of Civilian Defense, on OCD Form No. 501, which agreement includes a covenant on behalf of the borrowing community as follows:

That all rules, regulations, and orders heretofore or hereafter issued by the Director of Civilian Defense with respect to said supplies and equipment are a part of this agreement between the community and the Director of Civilian Defense, and that the community will comply with all rules, regulations, and orders issued by the Director of Civilian Defense with respect to the aforesaid supplies and equipment as well as with respect to procedure and practices affecting the use of such supplies or equipment for civilian defense in the community.

The Director of Civilian Defense, for the purpose of attaining maximum efficiency in the use and preservation of supplies and equipment of, or under the control of, the Office of Civilian Defense, which are loaned to communities pursuant to Executive Order No. 9088 and §§ 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), has ordered, subject to rules, regulations, and orders to be issued by him, that, subject to certain exceptions, including members of the local fire departments and police departments and certain approved medical personnel, the distribution of such supplies and equipment by borrowing communities shall be confined to members of and trainees for the United States Citizens Defense Corps, in accordance with instructions of the Commander of the local United States Citizens Defense Corps, and loaned supplies and equipment shall be used only by such members and trainees.

(c) Sections 1903.1 to 1903.18, inclusive, of this chapter (Regulations No. 3 of the Office of Civilian Defense) herein set forth, are issued, pursuant to Executive Order No. 9088, to prescribe the eligibility, training, method of appointment, character of oath, and duties of persons who, as members of or trainees for the United States Citizens Defense Corps, are exclusively, except as provided in § 1903.7 (g) of this chapter (Office of Civilian Defense Regulations No. 3), entitled to wear or use official articles embodying prescribed insignia of the United States Citizens Defense Corps, in accordance with the provisions of §§ 1902.1 to 1902.9, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2), and are entitled to receive, wear, or use supplies and equipment loaned to communities, in accordance with §§ 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1).

§ 1903.2 *Definitions.* (a) "Director" means the Director of Civilian Defense appointed by the President of the United States pursuant to Executive Order No. 8757, dated May 20, 1941, or any amendment thereto.

(b) "Defense Corps" means the United States Citizens Defense Corps established, within the Office of Civilian Defense, by Administrative Order of the Director, and consists of members in the protective services engaged in civilian defense, which members may be organized into local Defense Corps (community sections) or State sections, all as provided in §§ 1903.16 and 1903.17 of this chapter (Office of Civilian Defense Regulations No. 3).

(c) "Protective services engaged in civilian defense" means the Emergency Services and Units engaged in taking precautionary measures against air raids or other enemy action and minimizing losses to persons and property resulting therefrom, which protective services include those emergency services and units specified in § 1903.3 of this chapter (Office of Civilian Defense Regulations No. 3), now established and such additional emergency services and units as shall hereafter be established within the Defense Corps by order of the Director.

(d) "Member" means a person eligible for membership in the Defense Corps, who has

(1) registered for training,

(2) satisfactorily completed prescribed or approved courses of training or the equivalent thereof as set forth in § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3),

(3) been appointed to membership,

(4) taken the prescribed oath, and

(5) been enrolled as a member of the Defense Corps by the State or local Defense Council, all in accordance with these regulations, and whose membership has not been suspended or terminated as provided in these regulations.

(e) "Trainee" means a person eligible for membership in the Defense Corps who has registered for training in accordance with this chapter (Office of Civilian Defense Regulations No. 3), and who is engaged in taking prescribed or approved courses of training prior to being enrolled as a member.

(f) "Prescribed insignia" means insignia prescribed by the Director, by regulation or order, for any Unit of the Defense Corps or for any rank of members, whether or not Letters Patent with respect to such insignia have been applied for, granted, or denied.

(g) "Official articles" means such articles of identification embodying prescribed insignia as may from time to time be designated by the Director in §§ 1902.1 to 1902.9, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2), and amendments or orders supplementary thereto, which official articles may be worn or used except as provided in § 1903.7 (g) of this chapter (Office of Civilian Defense Regulations No. 3), only by members or, subject to § 1903.7 (d), (e), and (f) of this chapter (Office of Civilian Defense Regulations No. 3), by trainees, and shall constitute the official identification of persons wearing or using such official articles.

(h) "Loaned equipment" means equipment and supplies belonging to, or under the control of, the Office of Civilian Defense and loaned by the Director to communities pursuant to Executive Order No. 9088, dated March 6, 1942, and §§ 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), as amended, governing loans of equipment and supplies to civil authorities.

(i) "State" means any State, territory, or possession of the United States, and the District of Columbia.

(j) "Community" means any municipality, town or village, or any other political subdivision of any State or any area designated by the Director as a community for purposes of this chapter (Office of Civilian Defense Regulations No. 3).

(k) "Local Defense Corps and community section of the Defense Corps" as used herein are synonymous and such terms mean a community organization of members of the Defense Corps as provided for in § 1903.16 of this Chapter (Office of Civilian Defense Regulations No. 3).

(l) "State section of the Defense Corps" means the State organization of members of the Defense Corps who serve on a State-wide basis in such States as have developed, or may develop, such an organization of members as provided for in § 1903.17 of this chapter (Office of Civilian Defense Regulations No. 3).

(m) "State division of the Defense Corps" means, collectively, the State section and all community sections of the Defense Corps within a State which has adopted, or may adopt, this designation as provided in § 1903.17 (a) of this Chapter (Office of Civilian Defense Regulations No. 3).

(n) "Defense Council" means the body (by whatever name known) duly appointed by the duly authorized appointive authority to be responsible for civilian defense in a community or State, as the case may be.

(o) "Commander" means the person (by whatever title designated) duly appointed by the duly authorized appointive authority of a State or community to be in command of the Defense Corps in a State or in a community, as the case may be.

§ 1903.3 *Services and units.* (a) The emergency services of the Defense Corps now established are as follows:

Air raid wardens
Emergency fire
Emergency medical
Emergency police
Emergency public works
Emergency utilities
Emergency welfare
Rescue
Staff

(b) The units of the Defense Corps now established are as follows:

Air raid wardens.
Auxiliary firemen.
Auxiliary police.
Bomb reconnaissance.
Chaplains.
Communications.[1]
Decontamination.
Demolition and clearance.
Drivers.
Emergency welfare.[2]
Fire guard.[3]
Gas Reconnaissance.
Instructors.
Medical.
Nurses' aides.
Rescue.
Road repair.
Staff.
Utility repair.

(c) Additional emergency services and units of the Defense Corps may hereafter be established by the Director.

(d) The units set forth in paragraph (b) of this section, or hereafter established by the Director, may be organized in the discretion of the Commander thereof, into the Emergency Services set forth in paragraph (a) of this section or hereafter established by the Director, in the manner indicated in § 1903.16 (c) of this chapter (Office of Civilian Defense Regulations No. 3).

(e) The units of the Defense Corps may be subdivided into groups by order of the Director or of the Commander thereof. The following groups are hereby established in the communications unit, to wit: Radio group, wire communications group, and messenger group.

(f) The number of members in each unit of the emergency services engaged in civilian defense in any community or State section shall not exceed such number as may be prescribed from time to time by order of the Director in the event that he deems such maximum limitation to be desirable.[4]

§ 1903.4 *Insignia.* (a) The insignia of the units of the Defense Corps shall be designs related to the basic insigne of the Office of Civilian Defense, which basic insigne is a design, in the form of an applique emblem granted by Letters Patent No. D–129797 of October 7, 1941, consisting of the letters "CD" in red, centered in a white equilateral triangle embossed on a circular field of blue. Insignia have been prescribed by order of the Director for the units of the Defense Corps designated in § 1903.3 (b) of this chapter (Office of Civilian Defense Regulations No. 3), consisting of a white equilateral triangle embossed on a circular field of blue similar to the basic insigne of the Office of Civilian Defense, but with an identifiying device, described below for the respective units, substituted in lieu of the letters "CD" appearing in the basic insigne. The identifying devices for the prescribed insignia of the present units of the Defense Corps, and the Letters Patent covering such insignia, are as follows:

Unit	Letters patent	Identifying device (red, except staff unit)
Air raid wardens	D–129801	Seven diagonal stripes, alternately red and white
Auxiliary firemen	D–129802	Cross pattée.
Auxiliary police	D–129803	Shield in the form of an inverted triangle, with sides slightly curved outward.
Bomb reconnaissance	D–129799	Diving bomber.
Chaplains	D–136059	Christian: Latin cross.
	D–134923	Jewish: Six pointed star centered above Tables of the Law in silhouette.
Communications	D–129806	Lightning flash.
Decontamination [1]	D–129810	Chemical retort.
Demolition and clearance	D–129804	Pick, handle upward.
Drivers	D–129808	Steering wheel.
Emergency welfare	D–219809	Cup, handle to right.
Fire guard	D–129807	Flame.
Gas reconnaissance [1]	D–129810	Chemical retort.
Instructors (Instructors who have completed required attendance of a W.r Department Civilian Protection School may wear Instructors insigne placed above a silver ribbon on which are the letters "WDCPS")	D–132590	Inverted equilateral triangle centered above which is a falling bomb, to the left of which is a chemical retort and to the right of which is a flame.
Medical	D–129811	Caduceus.
Nurses' aides	D–129798	Red cross.
Rescue	D–129800	Ladder.
Road repair	D–129805	Shovel, spade downward.
Staff	D–132589	Blue five-pointed star centered above letters "CDC" in red.
Utility repair	D–132588	Pliers, jaws closed, handles downward.

[1] In the discretion of the Commander, the letters "D" or "R" may be required to be placed below the insigne to designate the function of members of the decontamination unit or gas reconnaissance unit, respectively.

(b) The Director may from time to time prescribe, by regulation or order, other designs as insignia for additional units of the Defense Corps.

(c) Prescribed insignia of the Defense Corps may be embodied in official articles which any member or, subject to § 1903.7 (d), (e) and (f) of this chapter (Office of Civilian Defense Regulations No. 3), any trainee is authorized to use or wear so long as he complies with all rules, regulations, orders, and instructions made or issued at any time by the Director, including those with respect to the use or wearing of prescribed insignia and with respect to the eligibility, training, or duties of members. Such right to wear or use official articles shall be subject at all times to the terms and conditions of any such rules, regulations, orders, or instructions.

(d) Any member authorized to wear or use official articles may wear or use only such official articles as bear the insigne prescribed by the Director for the Unit of the Defense Corps of which such person is a member except that the basic insigne may be used on all certificates of membership and identification cards.

(e) Trainees may not use or wear any official articles except in accordance with the provisions of § 1903.7 (d), (e) and (f) of this chapter (Office of Civilian Defense Regulations No. 3).

(f) Arm bands or brassards embodying prescribed insignia shall constitute

[1] This unit includes the unit formerly designated as the "messenger unit," which latter unit will continue to operate as a group (see § 1903.3 (e) of this chapter (Office of Civilian Defense Regulations No. 3)), under the direction of a chief of messengers (see § 1903.16 (d) (12) of this chapter (Office of Civilian Defense Regulations No. 3)).

[2] The unit formerly designated as "emergency food and housing unit." The organized personnel certified by the American Red Cross to the Commander for emergency feeding, housing, and clothing services may perform any or all of these functions of the emergency welfare unit. The Commander should avoid duplication of these facilities (see § 1903.7 (g) of this chapter (Office of Civilian Defense Regulations No. 3)).

[3] This unit includes the unit formerly designated as "fire watchers unit." Fire watchers units existing on the effective date of these regulations may continue as such in the discretion of the local Commander subject to the approval of the State Defense Council or other appropriate State authority. In the event of such continuation the members in such unit shall retain all rights and privileges of membership in the Defense Corps and shall continue to wear the insigne with the identifying device of a flame (Letters Patent D–129807). In communities where fire watchers units are so continued no fire guard units shall be established.

[4] No maximum number has yet been prescribed.

a substitute for a uniform. The wear or use of arm bands or brassards embodying prescribed insignia of the Defense Corps is restricted to members of or trainees, subject to § 1903.7 (d), (e) and (f) of this chapter (Office of Civilian Defense Regulations No. 3), for the Defense Corps (except the Instructors Unit) and to persons authorized pursuant to § 1903.7 (g) of this chapter (Office of Civilian Defense Regulations No. 3), while actively engaged in the performance of duties or while in transit to or from their places of duty.

(g) It shall be unlawful for any person to use or wear any prescribed insignia except in accordance with rules, regulations, orders, and instructions issued by the Director. The Director may prohibit or restrict, in his discretion, the wearing or use of any articles embodying prescribed insignia.

(h) Prescribed insignia may not be altered or modified in any manner, and no additional words or devices may be superimposed on prescribed insignia: *Provided, however,* That in the discretion of the appropriate Commander the name of a State or community or the designation of the function in the Defense Corps of the wearer may be placed on official articles in addition to (but not superimposed upon) the prescribed insigne. The Director may, by regulations or by orders supplementary hereto, from time to time, prescribe markings in addition to the prescribed insignia for official articles to be worn or used by specified members of the Defense Corps.

§ 1903.5 *Eligibility.* (a) All citizens of the United States, without distinction as to race, color, sex, or religion, shall be eligible for membership in the Defense Corps.

(b) All aliens residing in the United States, its Territories or possessions, who are not of enemy nationality, and without distinction as to race, color, sex, or religion, shall be eligible for membership in the Defense Corps: *Provided however,* That, subject to further order of the Director, any alien not of enemy nationality may be declared ineligible for membership by the local Defense Council of the community where such alien resides, and any alien of enemy nationality may be declared eligible for membership by the State Defense Council, acting upon the favorable recommendation of the local Defense Council of the community where such alien resides. The decision of such local Defense Council as to an alien not of enemy nationality, and of such State Defense Council as to an alien of enemy nationality, shall be final and shall be based upon its determination as to whether a declaration of eligibility or ineligibility would best serve the interests of the United States after considering all facts bearing on the loyalty of any such alien to the United States; such decision shall be reached after such hearings as the Defense Council shall deem proper before a Board of Inquiry designated by the Defense Council or established by it to make findings of fact and recommendations to the Defense Council. The term "alien of enemy nationality," as used in this paragraph (b) means a citizen of Germany, Japan, or such other country as shall be designated by order of the Director. In the matter of eligibility of an alien for membership in a State section, the State Defense Council shall have the powers given to the local Defense Council in this paragraph.

(c) Membership in any other organization of any character shall not be a condition to eligibility for membership in the Defense Corps, and no person shall become a member, or eligible for membership, solely by virtue of membership in any other organization.

(d) No person may become a member of the Defense Corps who advocates or has advocated the overthrow of the constitutional form of government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States.

(e) No fees of any kind shall be required to be paid as a condition to enrollment or continued membership in the Defense Corps.

(f) Any State or community may impose further restrictions (not predicated upon race, color, sex, or religion) upon eligibility, but no State or community shall, contrary to this chapter (Office of Civilian Defense Regulations No. 3, or subsequent rules, regulations, or orders issued by the Director, admit any person to membership in the Defense Corps.

§ 1903.6 *Registration for training.* Each person eligible for membership in the Defense Corps shall register for training, furnishing such information and dates as shall be specified in a registration card, which card shall be in such form as shall be determined by the appropriate Defense Council: *Provided,* That such card shall make provision for obtaining the registrant's full name, nationality, age, and business and residence address and telephone numbers.

§ 1903.7 *Training.* (a) (1) Before becoming a member of the Defense Corps and within one year after registration for training a trainee shall complete, in a manner satisfactory to the Commander of the local Defense Corps or the Commander of the State section as the case may be (but not below such standards as may be prescribed by order of the Director), courses of training prescribed or approved by the Director, for that particular unit of the Defense Corps in which he is to serve. If these courses are not completed within the prescribed one-year period, the registrant shall cease to be a trainee unless his Commander shall have filed with the appropriate Personnel Officer a written extension of such registrant's training period: *Provided, however,* That only one such extension shall be granted and shall not exceed six months. The courses and the minimum number of hours hereby prescribed as a prerequisite for membership are as follows:

Unit	Course	Hours
Air raid wardens	Basic Civilian Defense	5
	Emergency Field: Care of Injured	8
	Fire Defense	3
	Gas Defense	2
Auxiliary firemen	Basic Civilian Defense	5
	Fire Defense	3
	Gas Defense	2
	Fire Fighting Methods	7
Auxiliary police	Basic Civilian Defense	5
	Emergency Field: Care of Injured	8
	Fire Defense	3
	Gas Defense	2
Bomb reconnaissance	Basic Civilian Defense	5
	Gas Defense	2
	(Course for Bomb Reconnaissance Agents given by Ordnance Department of U. S. Army.)	
Chaplains	Basic Civilian Defense	5
	Gas Defense	2
Communications	Basic Civilian Defense	5
	Gas Defense	2
Decontamination	Basic Civilian Defense	5
	Gas Defense	2
	Decontamination, Principles and Procedures	5
Demolition and clearance	Basic Civilian Defense	5
	Fire Defense	3
	Gas Defense	2
Drivers (other than Ambulance, Rescue and Mortuary Vehicle Drivers).	Basic Civilian Defense	5
	Gas Defense	2
	Night and Convoy Driving	5
	Blackout Driving	2
	Minor Roadside Repairs	2
Emergency welfare	Basic Civilian Defense	5
	Gas Defense	2
	Welfare Problems in Air Raids	3
Fire guard	Fire Guard	12
Gas reconnaissance	Basic Civilian Defense	5
	Gas Defense	2
	Gas Identification	6
Instructors	Special Program of Training Prescribed by the Director.	
Medical—Physicians and Registered Nurses	None.	
Stretcher bearers; auxiliaries on mobile medical teams (except volunteer Nurses' aides).	Basic Civilian Defense	5
	Civilian Defense First Aid	20
	Gas Defense	2
Ambulance drivers and attendants	Basic Civilian Defense	5
	Civilian Defense First Aid	20
	Gas Defense	2
	Blackout Driving	2
Mortuary vehicle drivers and attendants	Basic Civilian Defense	5
	Gas Defense	2
	Blackout Driving	2
Other emergency medical personnel	Basic Civilian Defense	5
	Gas Defense	2
Nurses' aides	80 hours special American Red Cross training given in connection with hospitals designated as training centers.	
Rescue	Basic Civilian Defense	5
	Gas Defense	2
	Civilian Defense First Aid	20

Unit	Course	Hours
Road repair	Basic Civilian Defense	5
	Fire Defense	3
	Gas Defense	2
Staff	Basic Civilian Defense	5
	Fire Defense	3
	Gas Defense	2
Utility repair	Basic Civilian Defense	5
	Gas Defense	2

(2) The requirements for training as set forth in this paragraph (a) shall not be deemed retroactive as to those persons who were duly enrolled members of the Defense Corps on the effective date of these regulations. Trainees who, on the effective date of these regulations, are taking courses prescribed in previous regulations shall comply with the requirements in this paragraph (a) except that nothing herein shall be construed to require them to take a greater number of hours of training than were required at the time of their registration as trainees.

(3) The following described persons who were, on the effective date of these regulations, members of the Defense Corps are hereby confirmed as members of the unit to which they may be transferred and shall be exempt from taking the courses prescribed in this paragraph (a) as a prerequisite for membership in the unit to which they shall have been transferred: *Provided, however,* That in the discretion of the Commander they may be required to take such courses as a condition of continuing membership in such unit:

(i) Members of any unit who are transferred to the fire guard unit and whose previous training included instructions in fire defense.

(ii) Members of the emergency food and housing unit who are transferred to the emergency welfare unit.

(iii) Members of the messengers unit who are transferred to the communications unit.

(iv) Members of the staff unit who are transferred to the communications unit.

(v) Gas reconnaissance agents who are transferred to the gas reconnaissance unit.

(vi) Bomb reconnaissance agents who are transferred to the bomb reconnaissance unit.

(4) The 20-hour Civilian Defense first aid course may be given by any qualified person certified by the local chief of emergency medical service. The 20-hour Red Cross first aid course when given by an instructor certified by the American Red Cross, or the 15-hour first aid course of the Bureau of Mines when given by an instructor certified by the Bureau of Mines, may be substituted for the 20-hour Civilian Defense first aid course.

(5) Trainees whose duties after becoming members will be confined to service in industrial plant defense organizations shall, in lieu of the training requirements set forth in this paragraph (a) for the particular units above mentioned, take such training as shall be prescribed by the Director in orders supplementary hereto, and be subject to such conditions as to insignia and otherwise as he may so prescribe.

(b) (1) After enrollment as a member, advanced training, in the form of specified formal courses, informal courses, practice exercises, and in-service training, is required until each member is prepared to meet the responsibilities of his assignment to the satisfaction of his Chief of Service and his Commander. In addition, refresher training is required, to the extent prescribed by the Chief of Service and the Commander, to maintain constant alertness and readiness for emergency.

(2) The Director may from time to time, by orders supplementary hereto, prescribe advanced training to be taken by members as a condition of continued membership.

(3) Nothing herein contained shall be construed as interfering with a State Defense Council, pursuant to State law, prescribing advanced training for members.

(c) (1) The contest of the several courses of training set forth in paragraph (a) of this section shall be as outlined by the Director in orders supplementary hereto.

(2) Regional Directors of the Office of Civilian Defense appointed by the Director are authorized to permit substitutions in subjects prescribed in paragraph (a) of this section for particular units in particular localities within their regions, in order to meet special circumstances: *Provided,* That the total minimum number of hours of training specified in paragraph (a) of this section, as prerequisite to membership, is maintained.

(3) Upon application, made by the appropriate State authority showing good cause through the appropriate Regional Director, the Director may permit such State or any specified local Defense Corps to waive the minimum hourly requirements prescribed in § 1903.7 (a) of this chapter (Office of Civilian Defense Regulations No. 3), for any course of training and to require in lieu thereof the satisfactory completion of an examination approved by the Director covering the subject matter of such course. This provision, however, shall not be extended to apply to those courses of training required for membership in the Nurses' Aides Unit.

(4) With respect to particular individuals, where the Chief of Service and the Chief of Training shall certify, to the satisfaction of the local Commander (or in the case of a trainee for a State section, the State Commander), that the trainee possesses the required qualifications either because of previously acquired training or because of previous experience, or both, the Commander may exempt such trainee from any of the required training courses set forth in paragraph (a) of this section, except those courses of training required for membership in the Nurses' Aides Unit. Such exemption shall be set forth in writing filed with the personnel officer and shall specifically name the individual or individuals to whom such exemption is granted. The granting of such exemptions shall be subject to such additional restrictions as may be imposed by the appropriate State authority.

(d) Trainees may use or wear loaned equipment, other than official articles (except such official articles as are permitted in § 1903.7 (e) and (f) below of this chapter (Office of Civilian Defense Regulations No. 3) while engaged in training, to the extent deemed necessary and proper by the person conducting the course of training or instruction or as otherwise ordered by the Director.

(e) Trainees may wear arm bands bearing only the letters "CD" while engaged in performing duties in connection with, or training during, practice blackouts or air raid drills and while in transit to or from the places of such duty. Trainees for the nurses' aides unit may wear the prescribed insigne on sleeve of uniforms while engaged in practice work in hospitals.

(f) Trainees in the Defense Corps may be authorized by order of the Director or Commander, in the event of an air raid or other enemy action or emergency, to perform any of the duties of members of the Defense Corps during such period as shall be specified in such order. The effect of any such order shall be, whether or not stated therein, to dispense with the requirements during the period specified therein, of completion of courses of training, oath, and enrollment. Trainees authorized pursuant to such orders to perform the duties, and engaged in performing duties, of members, or in transit to or from their places of duty, shall be members of the Defense Corps during the period specified in such order, and as such shall be entitled (1) to wear or use official articles (but not to receive a certificate of membership), (2) to receive, use, and wear loaned equipment, and (3) to all other rights and privileges of members.

(g) Organized personnel previously certified to the Commander by the American Red Cross to have had sufficient and appropriate training to perform emergency feeding, clothing, housing, and staff functions in the emergency welfare service, or to serve in the drivers unit, or to serve in the medical unit, who have been requested by the Commander to serve in an emergency and placed by him under the command of the appropriate Chief of Service, shall be members pro tempore while rendering such services during an emergency, pursuant to such request and under such command. Such personnel, for the period of rendition of such services, shall be entitled to all rights and privileges of membership in the unit of the Defense Corps to which such personnel is assigned by the Commander. Except in

the circumstances set forth in this paragraph, such personnel may obtain membership in the Defense Corps only in accordance with §§ 1903.5 to 1903.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 3).

§ 1903.8 *Method of appointment.* Trainees who have satisfactorily completed prescribed or approved courses of training may be appointed to the various units of the Defense Corps on the basis of ability to perform prescribed duties, by the legally authoribed appointive authority of any State or community, subject to any further rules, regulations, or orders issued by the Director as to the manner of appointment of such persons.

§ 1903.9 *Oath.* (a) Each appointee to membership in the Defense Corps shall, prior to being enrolled as a member of the Defense Corps, take an oath, orally, before any person approved by the Commander, or in writing, which oath shall be substantially as follows:

I, ----------, solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will well and faithfully discharge my duties as a member of the United States Citizens Defense Corps; and that I do not advocate, and have not advocated, the overthrow of our constitutional form of government in the United States by force or violence.

(b) Aliens eligible for membership in the Defense Corps may take a substitute oath as follows:

I, ----------, a citizen of ---- ----------, and without intention of surrendering such citizenship, do solemnly swear (or affirm) that I will serve the United States honestly and faithfully against all enemies whomsoever; that I take this obligation freely, without mental reservations or purpose of evasion; that I will well and faithfully discharge my duties as a member of the United States Citizens Defense Corps; and that I do not advocate, and have not advocated, the overthrow of the constitutional form of government in the United States by force or violence.

(c) Such oath may include allegiance to the particular State and such other matter as shall not be inconsistent with the foregoing.

(d) If such oath is in writing and signed, it shall be filed with the Local Defense Council in the case of members of a local Defense Corps, or, in the case of members of a State section, with the State Defense Council. If such oath is taken orally, there shall be filed with the Defense Council an affidavit of the Commander or of the Chief of Service of the Service in which the member is enrolled, or of the person administering the oath, specifying the name of the person taking the oath, the date on which the oath was taken, and the form of the oath so taken. Such oaths, written or oral may be taken before or after the effective date of these regulations.

§ 1903.10 *Certificate of membership.* Each trainee, upon satisfactorily completing prescribed or approved courses of training, or the equivalent thereof as set forth in a § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), being duly appointed to membership, and taking the prescribed oath, may be furnished by the Defense Council with a Certificate of Membership, signed by such person or persons as shall be authorized by the appropriate Defense Council, certifying that such trainee has satisfactorily completed the required courses of training and demonstrated the necessary knowledge and ability to carry out his duties and is a member of the Defense Corps entitled to use or wear the prescribed insigne of the particular unit of the Defense Corps to which he is appointed. Such certificate of membership shall be substantially in the form of OCD Form No. 103 (except that the name of the particular State or of the particular community or both may be added in the heading).

§ 1903.11 *Enrollment.* Each trainee who has satisfactorily completed prescribed or approved courses of training, or the equivalent thereof as set forth in § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), been duly appointed to membership and taken the prescribed oath, shall be enrolled by the appropriate Defense Council as a member of the Defense Corps, in the Unit to which it is appointed. Local Defense Councils shall furnish to the Office of Civilian Defense, through the appropriate State or Regional authority, from time to time, upon request, information regarding enrolled members, including the number in the various Units of the Defense Corps.

§ 1903.12 *Duties.* (a) The duties of each member of the Defense Corps shall be as prescribed by regulations of the Director, and as additionally prescribed, to the extent permitted by law and not inconsistent with the duties prescribed by the Director, by the Governor, or the State Defense Council, or by the chief executive officer or other designated authority or the local Defense Council of his community. In the event of enemy attack or other emergency, the Commander may assign members to perform duties in the Defense Corps other than those specified for the unit to which such members have been appointed. Specific duties shall be prescribed by the Commander or by the Chief of Service.

(b) The general duties of the members of the Defense Corps shall include the following:

(1) *Staff unit.* Commanding or directing the units of the Defense Corps in the protective services engaged in civilian defense; assisting the Commander, including technical, administrative, and clerical assistance.

(2) *Air raid wardens unit.* Training residents for emergencies and becoming acquainted with physical features and residents of assigned territory; observing lights showing during a dimout or blackout and warning occupants of buildings; calling attention of law enforcement authorities to failures to comply with dimout or blackout rules and regulations, and requesting their cooperation in obtaining such compliance; directing persons in the streets to shelter; reporting to the control center any effects of enemy action such as fallen bombs, fires, or the suspected presence of war gas; sounding gas alarm; assisting in fighting incendiary bombs; assisting victims in damaged buildings; rendering emergency field care to the injured; directing traffic, in the absence of regular or auxiliary police, to facilitate movement of emergency vehicles; assisting generally in essential passive defense activities in the event of air raids or other enemy action.

(3) *Auxiliary police unit.* Enforcing emergency restrictions on lighting and prohibitions on trespassing; guarding docks, buildings, bridges, and factories; assisting in the control of vehicular and pedestrian traffic and facilitating movement of emergency vehicles; patrolling areas contaminated by war gas; preventing looting; and generally assisting the regular police force.

(4) *Auxiliary firemen unit.* Assisting regular fire-fighting forces; rescuing persons from burning buildings.

(5) *Fire guard unit.* Assisting in educating the public in fire defense, including cautions regarding incendiaries; helping eliminate fire hazards; making sure that reserve water supplies are plentiful and accessible at all times; assembling equipment suitable for fire fighting; selecting and manning lookout posts; extinguishing minor fires; taking steps to control larger fires pending the arrival of regular or auxiliary fire services.[8]

(6) *Demolition and clearance unit.* Removing rubble and debris from streets after air raids or other enemy action; destroying partially demolished or unsafe walls and buildings; mobilizing and operating heavy equipment needed in such work; assisting the local public works department in the event of air raids or other enemy action.

(7) *Road repair unit.* Restoring street and highways as rapidly as possible after air raids or other enemy action; filling holes, smoothing road surfaces, temporarily repaving with available material, applying surface coatings, restoring markings; assisting street departments and public works departments following rough clearance by demolition and clearance unit.

(8) *Rescue unit.* Rescuing persons trapped by debris; rendering necessary first aid; and, in connection with rescue operations, shoring up, tunneling, and performing minor demolition work; and, where necessary in such rescue operations, pending arrival of utility repair unit, shutting off broken gas, electric, and water lines.

(9) *Decontamination unit.* Effecting chemical destruction or removal of war gases contaminating streets, walls, buildings, vehicles, and machinery under technical direction of the senior gas officer.

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[8] Where fire watchers units existing on the effective date of these regulations are continued, their duties shall include standing watch in order to spot, reach, and extinguish fallen bombs, and such other of the duties as set forth in paragraph (b) (5) of this section for fire guards as the local Commander or the Chief of Service may prescribe.

(10) *Medical unit.* Providing field care, transportation, and emergency hospitalization for casualties; making emergency provision for the dead; cleansing injured persons of war gases; and assisting in the education of the public in self-aid.

(11) *Nurses' aides unit.* Assisting nurses in hospitals, out-patient clinics, public health nursing activities, and casualty stations; serving on mobile medical teams.

(12) *Drivers unit.* Driving vehicles to assist other units of the Defense Corps, excluding, however, ambulances and mortuary vehicles unless specifically requested by the chief of the emergency medical service, and excluding rescue vehicles unless specifically requested by the chief of the rescue service.

(13) *Communications unit.* Through the appropriate groups of this unit, planning the development of communication facilities, designing, procuring, installing, maintaining, operating, or making use of various systems of communication, including wire services, radio communication facilities, and a message delivery service.

(14) *Emergency welfare unit.* Coordinating and utilizing all community welfare resources to insure to victims of air raid or other enemy action, emergency care such as food, clothing, shelter, counseling and guidance, assistance in obtaining living quarters, equipment, and supplies; establishing a central registration and information service as a means of identification, reuniting of families and answering inquiries from relatives and friends; facilitating arrangements for securing financial assistance through other agencies public or private.

(15) *Utility repair unit.* Repairing water, gas, electric, telephone, telegraph, steam, sewer, and other utilities damaged by air raid or other enemy action.

(16) *Instructors.* Giving courses of training and instruction to trainees and members of the Defense Corps as prescribed from time to time by orders or instructions of the Director.

(17) *Chaplains.* Ministering to the religious and spiritual needs of persons suffering from the effects of air raid or other enemy action.

(18) *Gas reconnaissance.* Verifying or disproving the presence of reported war gas; identifying chemical warfare agents; delimiting areas contaminated by war gas; giving technical aid to decontamination unit; advising and assisting other services in matters related to war gas.

(19) *Bomb reconnaissance.* Investigating reports of unexploded bombs, reporting thereon to the control center, and advising regarding proper precautionary measures to be taken at sites of unexploded bombs.

§ 1903.13 *Termination or suspension of membership in United States Citizens Defense Corps.* (a) Any member of or trainee for the Defense Corps who

(1) Fails or refuses to comply with all applicable rules, regulations, and orders made or issued by his State or community or any agency thereof;

(2) Fails or refuses faithfully to perform his duties;

(3) Fails or refuses to comply with §§ 1901.1 to 1901.13, inclusive of this chapter (Office of Civilian Defense Regulations No. 1 (as amended)), as to the protection, maintenance, use, or return of loaned equipment;

(4) Was not at the date of enrollment, or would not be at any subsequent date eligible for membership in the Defense Corps or was not trained, appointed, sworn, or enrolled as a member or trainee in accordance with competent rules in force at the time of enrollment, including this chapter (Office of Civilian Defense Regulation No. 3), or any subsequent rules, regulations, or orders of the Director; or

(5) Has not adequate knowledge, ability, or other qualification properly to perform his duties

may have his membership or training status suspended or terminated by order of his Defense Council, of the State Commander, or of the Director, after notice to such person and to the official or body which appointed such person (or, in case of a trainee, the official or body with which such trainee registered), which notice shall specify all charges against such person, and after an opportunity for such person to be heard in his defense.

(b) Unless and until such order is vacated by order of the removing authority for good cause shown, it shall be unlawful for any person whose membership or training status in the Defense Corps has been so suspended or terminated to use or wear any official article or to receive, use, or wear any loaned equipment, and such person shall be deprived of all other rights and privileges as a member or trainee: *Provided, however,* That such suspension or termination shall not affect the status under State or local law of any person appointed by a State or community appointive authority to perform such duties as may be required by such State or local law. Nothing in this chapter (Office of Civilian Defense Regulations No. 3), shall be construed to interfere with or usurp any of the rights or duties of any local district, municipal, county, or State official.

(c) Hearings in any proceeding ordered by a Defense Council, the State Commander, or the Director for suspension or termination of membership or training status shall be held at such time and place, and before such examiner, and in accordance with such procedure as shall be prescribed by the order of the Defense Council, the State Commander, or the Director, as the case may be.

§ 1903.14 *Status and compensation of members.* Members shall not be deemed appointees or employees of the Office of Civilian Defense, or of the United States or any agency thereof, nor entitled to any payment from the Office of Civilian Defense, or the United States or any agency thereof, for services rendered as members. Payment for such services by the States or communities shall be dependent upon the laws thereof.

§ 1903.15 *Loaned equipment.* (a) Loaned equipment received by communities from the Office of Civilian Defense pursuant to §§ 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1 (as amended)), shall, unless otherwise ordered by the Director or authorized by said chapter, be distributed by such communities, directly or indirectly, only to members of, or (subject to § 1903.7 (f) of this chapter (Office of Civilian Defense Regulations No. 3)) trainees for, the Defense Corps or to members of local police departments or fire departments, all in accordance with instructions of the Commander of the local Defense Corps.

(b) All loaned equipment received by any community, including fire-fighting pumping units, shall, unless otherwise ordered by the Director or authorized by said §§ 1901 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1 (as amended)), be used only by members of, or (subject to § 1903.7 (d) of this chapter (Office of Civilian Defense Regulations No. 3) trainees for, the Defense Corps or by members of local police departments or fire departments.

(c) Unless otherwise ordered by the Director or authorized by §§ 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1 (as amended)) any community which distributes any such loaned equipment to any person not a member of or trainee for the Defense Corps, or a member of the local police department or fire department, or not in accordance with the instructions of the Commander of the local Defense Corps, or which permits any person not a member of or, to the extent provided in § 1903.7 (d) and (f) of this chapter (Office of Civilian Defense Regulations No. 3), a trainee for the Defense Corps or a member of the local police department or fire department to use or wear any loaned equipment, or which fails promptly to recall any loaned equipment from any person whose membership or training status has been suspended or terminated, shall be deemed to have violated its Agreement (OCD Form No. 501) with the Director pursuant to which such equipment was loaned; and in such event the Director may proceed to recall all or any part of the equipment and supplies of any character loaned to such community.

(d) Notwithstanding the provisions in the above paragraphs (a), (b), and (c) of this section medical supplies and equipment may (pursuant to instructions of the local Commander upon the advice of the local chief of the emergency medical service) be distributed to and used by personnel of medical facilities and, in emergencies, physicians and registered nurses, who may not be members of the Defense Corps.

(e) Loaned equipment received by States from the Office of Civilian Defense shall be subject to §§ 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1 (as amended)), and such other and further rules, regulations, orders, and directions as the Director may, from time to time, issue.

§ 1903.16 *Organization and command of local Defense Corps.* (a) The Defense Corps in each community shall consist of a staff unit and such other units, established pursuant to § 1903.3 of this chapter (Office of Civilian Defense Regulations No. 3), as shall be deemed necessary for the community in the opinion of the Commander. The members of the Defense Corps in any community may be designated collectively as the [name of community] section of the United States Citizens Defense Corps.

(b) The Commander of each local Defense Corps shall be designated or appointed in accordance with the provisions of State and local law. He shall have complete authority during an air raid or other enemy attack, blackout, or other emergency, as well as during periods of air raid drills, practice blackouts, or otherwise in connection with training, to command and direct the Defense Corps and to coordinate and direct, to the extent permitted by local law, the local fire and police departments and other municipal services. He shall have responsibility and authority for the organization, training, and operation of the Defense Corps.

(c) The Units of the Defense Corps may be organized into emergency services as hereinafter specified (or otherwise as the local Commander in his discretion may deem advisable to meet local conditions), each of which shall be under the direction and command of a chief of service as follows:

Service	Units	Chief
(1) Emergency fire service	Auxiliary firemen	Chief of emergency fire service (ordinarily chief of local fire department).
(2) Emergency police service	Auxiliary police	Chief of emergency police service (ordinarily chief of local police department).
(3) Rescue service	Rescue	Chief of rescue service.
(4) Air raid wardens service	Air raid wardens. Fire guard	Chief of air raid wardens service.
(5) Emergency medical service	Medical. Nurses' aides	Chief of emergency medical service.
(6) Emergency public works service	Demolition and clearance. Road repair. Decontamination.	Chief of emergency public works service.
(7) Emergency utilities service	Utility repair	Chief of emergency utilities service.
(8) Emergency welfare service	Emergency welfare	Chief of emergency welfare service.
(9) Staff	Staff. Drivers. Communications. Instructors. Chaplains. Gas reconnaissance. Bomb reconnaissance.	Commander.

(d) The staff unit shall be headed by the Commander and shall include the chiefs of the respective services, and in addition may include the following officers appointed by the Commander, and their assistants, as indicated:

(1) Executive officer, who shall be second in command after the Commander, and have such duties as may be assigned to him by the Commander.

(2) Deputies and aides of the chiefs of the respective services.

(3) Controller, who shall be responsible for the establishment, maintenance, protection, and operation of the control system, including control centers, and who shall be next in command after the executive officer. He may be assisted by a deputy controller, a controller's aide, a records officer, a plotting officer, chart writer, panel clerk, and other necessary personnel.

(4) Personnel officer, who shall be responsible for the enrollment, training, duty, and injury records of all members and trainees of the Defense Corps.

(5) Property officer who shall be responsible and accountable, in accordance with the terms of §§ 1901.1 to 1901.13, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1 (as amended)), and to the extent therein provided, for all property received and issued by him pursuant to such §§ 1901.1 to 1901.13, inclusive of this chapter.

(6) Transport officer, who shall be responsible for providing emergency transportation facilities for all protective services engaged in civilian defense, as required.

(7) Senior bomb reconnaissance agent, who shall be in charge of the bomb reconnaissance unit, and who shall supply technical direction on verification of unexploded bomb reports and action to be taken thereon.

(8) Senior gas officer, who shall supply technical direction on identification of chemical warfare agents and shall recommend to the Commander the action to be taken by all other services and agencies before, during, and after, gas attacks. The senior gas officer shall be in charge of the Gas Reconnaissance Unit and shall be responsible for its training. He shall be in charge of the education of personnel of all units of the Citizens Defense Corps in gas defense and be responsible for training and technical direction of the decontamination unit. He may be assisted by specialists such as assistant gas officers and laundry officers.

(9) Chief technical officer, who shall coordinate the local application of specialized technical information relative to civilian defense measures and advise with the Commander and the chiefs of the respective services regarding such matters; and who shall be in charge of obtaining information as to the effect of enemy attack upon civilians and property. He may be assisted by technical officers and technical aides.

(10) Water works officer (representing local water works organization), who shall supply technical assistance with respect to water supply problems to the Commander and the chiefs of the emergency services.

(11) Health officer, who shall advise the Commander regarding emergency measures for disease prevention and sanitation. He may be assisted by his deputies, division chiefs, and sanitary inspectors.

(12) Communications officer, who shall be responsible for communication facilities. He may be assisted by a chief of wire communications (who shall be in charge of the wire communications group), a radio aide (who shall be in charge of the radio group), and a chief of messengers (who shall be in charge of the messenger group).

(13) Passive plant protection officer, who shall advise the Commander regarding plant protection and maintain liaison with the organizations, within industrial plants, which deal with the passive protection of such plants and the plant defense coordinators thereof.

(14) Chief of training, who shall be responsible for organizing and having conducted such schools as may be necessary for the training of all registered volunteer workers.

(15) Senior incident officers, who shall represent the Commander at scenes of incidents, and who shall resolve conflicts and direct priority of work as between units, and report progress and needs direct to the control center.

The functions and duties of any of the abovementioned members of the staff unit may be combined in one person, or omitted, by order of the Commander.

§ 1903.17 *Organization of State sections and divisions of Citizens Defense Corps.* (a) Each State may organize, in addition to the sections of the Defense Corps organized in communities of the State, a section of the Defense Corps to operate on a State-wide basis. The State section and the community sections of the Defense Corps of a particular State may be designated collectively as the [name of the State] Division of the United States Citizens Defense Corps. Nothing contained herein shall be construed to interfere with a State, pursuant to State law, organizing its Defense Corps on a State-wide basis, with each community section to be considered as a part thereof.

(b) The State section of the Defense Corps shall be organized in accordance with provisions of State law and shall be under the command and direction of such person (herein referred to as the State Commander") as shall be designated or appointed by the Governor or other authorized body in accordance with provisions of State law. The State section shall consist of a staff unit and such other units, established pursuant to § 1903.3 (b) of this chapter (Office of Civilian Defense Regulations No. 3), as shall be deemed advisable for the State in the opinion of the State Commander.

(c) The authority and responsibility of the State Commander and members of the State staff unit and the other members of the State section of the Defense Corps shall be as provided by State law, which shall also control as to the method of designating or appointing such members, and nothing contained in these regulations shall be interpreted to grant to the State Commander authority over community sections or the Commanders or members thereof beyond that granted by such law.

(d) The staff unit of the State section of the Defense Corps may include persons duly assigned to duty in the district warning centers of the air raid warning service and in the State and sub-State regional control centers (by whatever name known) within the State. Such persons may be exempted by the State

Commander from completing the training or instruction specified in § 1903.7 of this chapter (Office of Civilian Defense Regulations No. 3).

§ 1903.18 *Effective date.* These regulations shall become effective September 30, 1943, and shall supersede the prior Regulations No. 3 amended to August 1942, and all subsequent amendments thereto and orders supplementary thereto.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

[F. R. Doc. 43-15552; Filed, September 24, 1943; 10:15 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Public Land Order 166]

PART 298—PUBLIC LAND ORDERS

ARIZONA

Withdrawing public lands for use of the War Department as a ground to ground gunnery range.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a ground to ground gunnery range:

GILA & SALT RIVER MERIDIAN

T. 21 N., R. 16 W.,
Sec. 6, lots 1 to 6, inclusive, lots 9 to 12, inclusive, and S½NE¼.
T. 22 N., R. 16 W.,
Secs. 1 to 5, inclusive, secs. 8 to 11, inclusive;
Secs. 12, 13, and 14, those parts west of the westerly line of right-of-way of U. S. Highway No. 66;
Secs. 15, 16, and 17;
Sec. 18, lots 1, 2, 7, 8, 9, 10, 15, 16, and E½;
Secs. 19 to 22, inclusive;
Secs. 23, 26, and 27, those parts west of the westerly line of right-of-way of U. S. Highway No. 66;
Secs. 28 to 32, inclusive;
Secs. 33 and 34, those parts west of the westerly line of right-of-way of U. S. Highway No. 66.
T. 23 N., R. 16 W.,
Secs. 33 to 36, inclusive.

The areas described, including both public and non-public lands, aggregate approximately 20,780 acres.

This order shall take precedence over but not modify the order of March 6, 1936, of the Secretary of the Interior, establishing Arizona Grazing District No. 2, so far as such order affects any of the above-described lands.

This order is subject to the condition that the present fence around the area will be maintained by the War Department in order to prevent the trespass of livestock and to protect the stockmen using the adjacent range.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

SEPTEMBER 15, 1943.

[F. R. Doc. 43-15544; Filed, September 24, 1943; 9:45 a. m.]

[Public Land Order 167]

PART 298—PUBLIC LAND ORDERS

OREGON

Withdrawing public lands for use of the War Department as a camp site.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a camp site:

WILLAMETTE MERIDIAN

T. 34 S., R. 1 E.,
Sec. 29, W½NE¼, NW¼, N½SW¼, SW¼SW¼, and N½SE¼;
Sec. 31;
Sec. 33, SE¼NW¼ and SW¼;
Sec. 35, SW¼SW¼, E½SW¼, and SE¼.
T. 35 S., R. 1 E.,
Sec. 1, lots 1 to 4, inclusive, SW¼NW¼, and SE¼SW¼;
Sec. 3, lots 1 to 4, inclusive, S½N½, E½SW¼, and SE¼;
Sec. 5, lot 4, S½N½, and SE¼;
Sec. 6, lot 4, and SE¼NE¼;
Sec. 7, lots 1 and 2, E½NW¼, and W½NE¼;
Sec. 8, SE¼NE¼, SW¼NW¼, and SW¼;
Sec. 9, E½ and NW¼;
Sec. 10, N½NW¼;
Sec. 11, S½SE¼;
Sec. 13, NW¼NE¼, N½NW¼, SW¼NW¼, S½SW¼, and SE¼SE¼;
Sec. 15, NE¼, E½NW¼, SW¼NW¼, and SW¼;
Sec. 17;
Sec. 18, NW¼SE¼ and S½SE¼;
Sec. 19, N½ and NE¼SE¼;
Sec. 20, E½, NW¼, and NE¼SW¼;
Sec. 21;
Sec. 22, SE¼;
Sec. 23, SW¼NE¼, W½, and SW¼SE¼;
Sec. 25;
Sec. 26, S½;
Sec. 27, E½, NW¼, N½SW¼, and SE¼SW¼;
Sec. 28, N½;
Sec. 29, NE¼;
Sec. 33, E½NE¼, SW¼, W½SE¼, and NE¼SE¼;
Sec. 34, N½NE¼ and SE¼NE¼;
Sec. 35, SE¼NE¼, W½NE¼, W½, and SE¼.
T. 36 S., R. 1 E.,
Sec. 1, lot 1, 2, and 4, S½NE¼, SE¼SW¼, and SE¼;
Sec. 3, N½SE¼;
Sec. 6, SE¼SE¼;
Sec. 9, W½NE¼, S½NW¼, and SW¼;
Sec. 14, SE¼SW¼ and S½SE¼;
Sec. 15, S½SE¼;
Sec. 17, E½;
Sec. 20, N½NE¼ and E½SE¼;
Sec. 21, E½NE¼, NW¼NE¼, W½, SW¼SE¼, and E½SE¼;
Sec. 22, N½NE¼, SW¼NE¼, and NW¼;
Sec. 23, E½, E½NW¼, SW¼NW¼, and SW¼;
Sec. 25;
Sec. 26, N½NE¼ and N½SW¼;
Sec. 35.
T. 34 S., R. 1 W.,
Sec. 25;
Sec. 26, SW¼SW¼;
Sec. 27, E½;
Sec. 34, NE¼NE¼ and E½SE¼;
Sec. 35.
T. 35 S., R. 1 W.,
Sec. 1, W½SE¼ and SE¼SE¼.

The areas described aggregate 16,891.51 acres.

This order shall be subject to (1) the classification as power sites made by the order of April 27, 1917, of the Secretary of the Interior (Water Power Designation No. 10), (2) the reservation for water power sites made by the Executive order of April 30, 1917 (Power Site Reserve No. 619), and (3) the transmission line withdrawal of August 4, 1927, under Federal Power Commission Project No. 828, so far as such orders affect any of the above-described lands.

This order shall take precedence over but not modify the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects any of the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

SEPTEMBER 15, 1943.

[F. R. Doc. 43-15545; Filed, September 24, 1943; 9:45 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 301—GENERAL REGULATIONS

[General Order 35]

SEAMEN'S SERVICE AWARDS

Sec.
301.35 Authority for regulations.
301.36 Definition of "seaman".
301.37 Merchant Marine Service Emblem.
301.38 War Zone Bar.
301.39 Combat Bar.
301.40 Awarding of Merchant Marine Service Emblem, War Zone Bar, and Combat Bar.
301.41 Mariner's Medal.
301.42 How to wear seamen's service insignia.

Sec.
301.43 Service flag and service lapel button.
301.44 Unauthorized use of insignia.

AUTHORITY: §§ 301.35 through 301.44; Public Law 52, 78th Congress; and E.O. 9054, 7 F.R. 837.

§ 301.35 *Authority for regulations.* Pursuant to the authority vested in the Administrator, War Shipping Administration, by Public Law 52, 78th Congress, the following awards of insignia and honor devices are prescribed in recognition of the services of merchant seamen, together with the regulations governing the conditions of eligibility therefor, and the presentation thereof.

§ 301.36 *Definition of "seaman".* When used in this general order (§§ 301.35 through 301.44) "seaman" includes any member of a ship's company who serves at any time, during the period beginning December 7, 1941 and ending with the termination of the present war,

(a) In any United States flag ship, or

(b) in any foreign flag ship at a time when operated by or for the account of the Maritime Commission or the War Shipping Administration.

§ 301.37 *Merchant Marine Service Emblem.* The following Merchant Marine Service Emblem is prescribed as an identifying insigne to be issued to all seamen: circlular metal pin, about one inch in diameter, having as its base a gold colored compass card in the center of which is mounted a representation of the Federal shield in silver with a superimposed gold anchor.

§ 301.38 *War Zone Bar.* A silk ribbon bar pin, one and three-eighths inches long by one-half inch wide, will be issued to seamen for service in a war or combat zone: (a) with a crimson and white ribbon for service in the Atlantic zone, including the North Atlantic Ocean, South Atlantic Ocean, Gulf of Mexico, Caribbean Sea, Barents Sea, and Greenland Sea; (b) with a crimson, white, navy blue, yellow and green ribbon for service in the Mediterranean Middle East zone, including the Mediterranean Sea, Red Sea, Arabian Sea, and Indian Ocean west of eighty degrees east longitude; (c) with a yellow, crimson, white, and navy blue ribbon for service in the Pacific zone, including the North Pacific Ocean, South Pacific Ocean, and Indian Ocean east of eighty degrees east longitude.

§ 301.39 *Combat Bar.* A sky blue, white, crimson and navy blue silk ribbon bar pin, one and three-eighth inches long by one-half inch wide, will be issued to seamen who serve in a ship which, at the time of such service is directly attacked or damaged by an instrumentality of war. There is further prescribed for issuance a star (to be attached to such bar) to seamen who are forced to abandon ship when so attacked or damaged, and for each additional abandonment.

§ 301.40 *Awarding of Merchant Marine Service Emblem, War Zone Bar, and Combat Bar.* The Merchant Marine Service Emblem, the War Zone Bar, and the Combat Bar, prescribed above, will not be licensed for sale, but shall be issued by the Seamen's Service Awards Committee upon voluntary application by seamen furnishing information of eligibility for such awards. Such applications should include the seaman's name, his license number or identification number, the name or names of ships in which he served, the dates of such service, and his mailing address. All correspondence regarding the above awards shall be transmitted in sealed envelopes to the Seamen's Service Awards Committee, War Shipping Administration, Washington, D. C.

§ 301.41 *Mariner's Medal*—(a) *Design and award of medal.* A mariner's medal is prescribed, with ribbon bar and a rosette to be worn in lieu thereof, to be awarded to any seaman who, while serving in a ship during the war period, is wounded, suffers physical injury, or suffers through dangerous exposure as a result of an act of an enemy of the United States. In determining each award of the Mariner's medal, the Seamen's Service Awards Committee shall carefully consider the extent of wounding, injury, or exposure and the circumstances under which such wounding, injury or exposure was incurred. Presentation of the awards shall be in such manner as the Seamen's Service Awards Committee may prescribe or determine.

(b) *Successive awards.* Not more than one Mariner's Medal shall be awarded to any one seaman, but for each succeeding service of any seaman sufficient to justify the award, a gold star will be issued to be attached to the medal ribbon or worn on the ribbon bar.

(c) *Posthumous awards.* In the event any such seaman dies from such wounds or injuries before the award can be made to him, the medal may be presented to the person named in the War Risk Policy as his beneficiary. In the event that such beneficiary is located in a foreign country, the award may be delivered to the Secretary of State of the United States for future presentation.

§ 301.42 *How to wear seamen's service insignia*—(a) *On uniform or civilian coats.* The Merchant Marine Service Emblem, War Zone Bar, Combat Bar and Mariner's Medal may be worn on either civilian or uniform coats.

(b) *Position of Merchant Marine Service Emblem.* The Merchant Marine Service Emblem may be worn on the left lapel of civilian coats, or it may be worn high on the left breast of civilian or uniform coats above such service ribbons, honor ribbons, or Naval Reserve insigne, as seamen are entitled to wear.

(c) *Position of War Zone Bars and Combat Bars.* The War Zone Bars and Combat Bars shall be worn in horizontal rows of three each, if that number or more be possessed, in rows spaced one-quarter inch apart. If not in multiples of three, the upper row shall contain the lesser number, the center of this row to be over the center of the one below it. They shall be worn on the left breast in a position approximately midway between the top and bottom of the left sleeve opening.

§ 301.43 *Service flag and service lapel button.* A Merchant Marine service flag and a service lapel button are prescribed for display by members of the immediate families of seamen serving in the American Merchant Marine during the war period as follows:

(a) *Design of service flag*—(1) *Basic design.* On a blue rectangular field a white star or stars correspondent to the number of seamen from the immediate family who are symbolized on the flag. In the quarter of the blue field nearest the staff or hoist end of the flag and above any such star or stars, shall be a white broadside silhouette of a Victory ship. Printed on or applied to the extreme outside edges of the blue field shall be a continuous golden colored rope with a figure of eight knot in the center of the fly or free end of the flag.

(2) *Use of gold star.* If the seaman symbolized is killed, or dies while serving, the white star will have superimposed thereon a gold star of smaller size so that the white forms a border.

(3) *For horizontal display.* The flag horizontally displayed will have the stars arranged in a horizontal line, or lines, with one point of each star up.

(4) *For vertical display.* The flag vertically displayed will have the stars arranged in a vertical line, or lines, with one point of each star up.

(5) *Alteration prohibited.* There shall not be placed upon the service flag, nor on any part of it, nor attached to it, any mark, insignia, letter, word, figure, design, picture, or drawing of any nature except those provided above.

(b) *Design of service lapel button.* The service lapel button shall be of enameled metal, and its design shall be a miniature of the service flag. It may be displayed by members of the immediate families of seamen serving in the American Merchant Marine during the war period.

(c) *Manufacture and sale of service flag and service lapel button.* The service flag and service lapel button may be procured from any person, firm, or corporation manufacturing or selling the same pursuant to the laws of the United States.

§ 301.44 *Unauthorized use of insignia.* No person shall wear, display, or retain any insigne, medal, flag, or button prescribed in this general order (§§ 301.35 through 301.44), except as authorized in this order and pursuant to law.

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 23, 1943.

[F. R. Doc. 43-15559; Filed, September 24, 1943; 11:21 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 21, Amdt. 9]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART M—CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, 9156, and 9294, and War Production Board Directive 21, § 501.100, General Order ODT 21, as amended (7 F.R. 7100, 9006, 9437, 10025; 8 F.R. 551, 2510, 7357, 7880, 9033), is hereby amended to read as follows:

§ 501.100 *Modification, revocation, etc., of certificate.* (a) Any Certificate of War Necessity issued under this subpart shall be effective from the date of issuance specified therein and shall remain in effect according to its terms until amended or modified, as provided in paragraph (c) of this section, or until suspended, recalled, cancelled, or revoked in whole or in part, for good cause, in accordance with the provisions of Administrative Order ODT 5.

(b) Good cause shall be deemed to include (1) wilful or negligent failure, subsequent to the issuance of the certificate, to comply with any term or condition of the certificate or of any order of the Office of Defense Transportation pertaining to the operations to which such certificate relates; (2) fraud practiced or wilful misrepresentation made in obtaining the certificate; (3) wilful falsification of any record or report required by the Office of Defense Transportation to be kept or made; (4) when the operations described in the certificate have been abandoned or discontinued by the certificate holder; (5) when the operations described in the certificate are or have been forbidden or prohibited by an order of the Office of Defense Transportation; (6) when any vehicle in respect of which a certificate was issued is no longer operated by the holder in the service described therein; or (7) when it appears from the application for the certificate that the certificate was erroneously issued.

(c) Amendments to or modifications of limitations or requirements certified in a certificate may be made in conformity with any general or other order, or written public direction or statement of policy, issued by the Director of the Office of Defense Transportation.

(d) Any certificate holder aggrieved by any determination of limitations or requirements certified in a certificate, or by any amendment, modification, suspension, recall, cancellation, or revocation in whole or in part, may apply for reconsideration, review, or appeal in accordance with the provisions of outstanding administrative orders establishing the procedure for such reviews.

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code §§ 631 through 645a; E.O. 8989, 9156, 9294; 6 F.R. 6725, 7 F.R. 3349, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

This amendment shall become effective the 1st day of October 1943.

Issued at Washington, D. C., this 24th day of September 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-15560; Filed, September 24, 1943; 11:33 a. m.]

[Administrative Order ODT 5]

PART 503—ADMINISTRATION

PROCEDURE FOR SUSPENSION, RECALL, CANCELLATION, OR REVOCATION OF CERTIFICATES OF WAR NECESSITY

General outline. This order prescribes the procedure to govern the suspension, recall, cancellation, or revocation of Certificates of War Necessity issued pursuant to the provisions of General Order ODT 21 (Certificates of War Necessity for and Control of Commercial Motor Vehicles), when it appears that good cause exists for such action. Good cause is defined in § 501.100 of General Order ODT 21, as amended.

Proceedings for suspension, recall, cancellation, or revocation will be instituted by the district manager on his own motion. The certificate holder will be furnished with a sworn statement of the facts showing the basis for the proceeding and will be afforded the opportunity to file with the district manager a written statement (which need not be sworn to) setting forth any facts which contradict or tend to contradict or explain, or any matters in extenuation of, the facts set forth in the sworn statement of facts served upon him. He may, if he desires, submit sworn statements upon his own behalf. However, he is not required to appear in person before the district manager.

In the event an adverse order is entered against him by the district manager, the certificate holder is permitted to file written objections thereto and request an oral hearing. If no written objections are filed, the order of the district manager becomes final. The filing of written objections by the certificate holder has the effect of an appeal to the regional director, who is authorized to dispose of the matter upon the record made before the district manager. However, if a request for oral hearing is made in connection with the filing of written objections, the matter is assigned by the regional director for hearing at such place or places as are convenient to the certificate holder and witnesses. Pending the hearing the order of the district manager is automatically stayed. At the hearing the certificate holder may represent himself in person or be represented by counsel of his own selection. A stenographic transcript of the hearing will be made and upon the basis of the testimony, evidence and arguments offered, the regional director will make his findings and determination and issue an appropriate order.

Any certificate holder aggrieved by an order of a regional director has the right to appeal to the Director of the Office of Defense Transportation, Washington, D. C. Such appeal may be accompanied by any briefs or written arguments which the certificate holder desires to submit. The order of the regional director is stayed pending the appeal. Upon consideration of the appeal an order will be entered by the Director affirming, modifying, or rescinding such order, or directing that a further hearing be held thereon, as the facts may warrant.

This general outline of the contents of this order does not in any respect limit or affect the scope or meaning of any provision contained in the order.

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, 9156, 9214, and 9294, and War Production Board Directive 21, and in order to regulate the recall, suspension, cancellation, and revocation of Certificates of War Necessity pursuant to General Order ODT 81, as amended (7 F.R. 7100, 9006, 9437, 10025; 8 F.R. 551, 2510, 7357, 7880, 9033), *It is hereby ordered,* That:

Sec.

503.100 Commencement of proceedings; certificate holder's statement.
503.101 District manager's order.
503.102 Objections to district manager's order.
503.103 Transmittal to regional director; stay of district manager's order.
503.104 Hearing on oral testimony; determination by regional director.
503.105 Certificate holder's default.
503.106 Appeal from order of regional director.
503.107 Extensions and continuances.
503.108 Surrender of certificate.
503.109 Notice to Office of Price Administration.
503.110 Definitions.

AUTHORITY: §§ 503.100 through 503.110, issued under the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code §§ 631 through 645a; E.O. 8989, 9156, 9214, and 9294; 6 F.R. 6725, 7 F.R. 3349, 6097, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834.

§ 503.100 *Commencement of proceeding; certificate holder's statement.* Whenever it shall appear to a district manager that good cause exists for the suspension, recall, cancellation, or revocation of any certificate in whole or in part, he may serve upon such certificate holder, by registered mail, at the address shown upon the official records of the district office, a written order requiring him to show cause in writing why such certificate should not be suspended, recalled, cancelled, or revoked in whole or in part. Such order shall have attached to it an affidavit or verified written statement of facts upon which the order to show cause is issued. Such order shall

further specify a date (not less than 5 days from the date of mailing of such order) on or before which said certificate holder shall file in the office of such district manager a written statement (which need not be sworn to) setting forth any facts which contradict or tend to contradict or explain, or any matters in extenuation of, the facts set forth in the statement of facts made in support of the order to show cause. The certificate holder may, if he desires, file sworn statements in support of his written statement. It shall not be necessary for him to appear in person in response to the order to show cause.

§ 503.101 *District manager's order.* Upon the filing of the statement in response to the order to show cause, the district manager forthwith shall proceed to a consideration of the record in the order to show cause proceeding and shall make and enter his findings and determination and issue an order suspending, recalling, cancelling, or revoking such certificate in whole or in part, or discontinuing the proceeding, as the facts may warrant. A copy of the order shall be served forthwith upon the certificate holder, by registered mail, at the address shown upon the official records of the district office unless the certificate holder shall have designated, in writing, a different address.

§ 503.102 *Objections to district manager's order.* Within 5 days after the date of the mailing of the order of the district manager suspending, recalling, cancelling, or revoking such certificate (except when such order was made after default of the certificate holder to show cause in accordance with the provisions of § 503.100 of this order), written objections may be filed by the certificate holder with the district manager. If the last day of such 5-day period falls on a Sunday or legal holiday, the written objections may be filed on the next succeeding day. Such objections shall contain a statement by the certificate holder of reasons why the order should not be put into effect, and a request for hearing on oral testimony, if desired. If written objections are not filed, the order shall become effective, according to its terms, upon the expiration of 5 days after the date of mailing of such order. If written objections are filed within the 5-day period, the effective date of the order shall automatically be postponed for a period of 10 days after the date of mailing of such order.

§ 503.103 *Transmittal to regional director; stay of district manager's order.* Upon the filing of written objections within the time fixed, the district manager shall transmit the record of the proceeding to the appropriate regional director, who, upon consideration of the record, forthwith shall determine whether the order issued by the district manager should be affirmed, modified, or rescinded. If hearing on oral testimony has been requested, the order shall be stayed pending further proceedings and the regional director forthwith shall designate in writing a time not less than 20 days from the date thereof when, a place where, and an examiner or other competent representative of the Office of Defense Transportation before whom, hearing in the matter will be held and shall so notify the certificate holder forthwith by registered mail. When deemed necessary by the regional director, additional hearings may be held at such other times and places and before such representatives as he may direct. Where practicable, hearings shall be held at such places within the United States as are convenient to the certificate holder and witnesses.

§ 503.104 *Hearing on oral testimony; determination by regional director.* Any examiner or other representative of the Office of Defense Transportation designated by the regional director to conduct such hearing is hereby authorized to administer oaths and affirmations, subpoena witnesses and compel their attendance, take testimony, rule on the admission or exclusion of evidence, and require the production of any books, papers, correspondence, memoranda, or other records or writings deemed relevant to the inquiry, and to perform all other duties in connection therewith authorized by law. The hearing shall be conducted by the examiner or other representative in such manner as will permit the certificate holder to present evidence and argument to the extent compatible with a fair and expeditious determination of the issues raised in the hearing. The certificate holder shall have the right to represent himself in person or to be represented by counsel of his own selection. Reasonable opportunity for the cross-examination of witnesses shall be afforded. A stenographic transcript of the hearing shall be made, a copy of which shall be made available to the certificate holder, at his request, upon the payment of a reasonable fee. The examiner, or other representative, shall certify the record of the proceeding to the regional director who shall make and enter his findings and determination and issue an order suspending, recalling, cancelling, or revoking such certificate in whole or in part, or discontinuing the proceeding, as the facts may warrant. A copy of the order shall be served forthwith upon the certificate holder, by registered mail, at the address shown upon the official records of the district office, unless the certificate holder shall have designated, in writing, a different address.

§ 503.105 *Certificate holder's default.* (a) In any case where the certificate holder shall fail to show cause in writing on or before the date fixed by order of a district manager pursuant to § 503.100 of this order, the district manager shall make an entry in the record of such default and shall thereupon suspend, recall, cancel, or revoke, in whole or in part, the certificate involved, as the facts may warrant.

(b) In any case where the certificate holder shall fail to appear at the time and place fixed by the regional director for hearing pursuant to § 503.103 of this order, the regional director shall make an entry in the record of such default and shall thereupon affirm, modify, or rescind the order issued by the district manager, as the facts may warrant, in like manner as if hearing on oral testimony had not been requested.

(c) Written notice of such action shall forthwith be served upon the certificate holder, by registered mail, at the address shown upon the official records of the district office unless the certificate holder shall have designated, in writing, a different address. Any order, issued by reason of the default of a certificate holder to show cause or to appear for hearing, may be set aside when it shall appear to the district manager or regional director who entered the default, upon application and from proof submitted by the certificate holder, that the default occurred through excusable neglect; and if any such order is so set aside, the proceedings shall continue as if the default had not been entered.

§ 503.106 *Appeal from order of regional director.* (a) Any holder of a certificate which has been suspended, recalled, cancelled, or revoked in whole or in part, by an order issued by a regional director pursuant to the provisions of §§ 503.100 through 503.105 of this order, may file with the regional director within 10 days after the date of the mailing of the order of the regional director an appeal from such order to the Director of the Office of Defense Transportation, Washington, D. C. Such appeal shall be in writing and shall contain a statement of the reasons why the order of the regional director should be reversed or modified. Such appeal may be accompanied by any briefs or written arguments which the certificate holder desires to submit. The order of the regional director shall be stayed pending such appeal.

(b) Upon receipt of such appeal, the regional director shall forward the appeal and all papers in his possession relating to the matter to be reviewed, to the Director of the Office of Defense Transportation, Washington, D. C.

(c) Upon consideration of the appeal an order will be entered by the Director affirming, modifying, or rescinding such order, or directing that a further hearing be held thereon, as the facts may warrant. A copy of the order of the Director shall be served forthwith upon the certificate holder by registered mail at the address shown upon the record on appeal, and notice thereof given to the regional director and to the district manager who shall take such proceedings as may be required to effectuate the order of the Director.

§ 503.107 *Extensions and continuances.* The district manager or regional director is hereby authorized (a) to extend, for any reasonable period, the time within which the certificate holder may perform any act, as limited by any provision of §§ 503.100 through 503.106 of this order, or by order of the district

manager or regional director, and (b) to continue, for any reasonable period, any proceeding or hearing pending before him.

§ 503.108 *Surrender of certificate.* Whenever, pursuant to proceedings had under §§ 503.100 through 503.107 of this order, an order is issued suspending, recalling, cancelling, or revoking a certificate, and such order is or has become final, the holder of such certificate shall forthwith surrender or deliver such certificate to the district manager who instituted the proceedings for suspension, cancellation, or revocation, in accordance with such order; and any representative of the Office of Defense Transportation is authorized and directed by lawful and peaceable means to take possession of any such certificate if the holder fails or neglects to surrender or deliver it in accordance herewith. Each such order shall contain a demand for surrender and delivery as herein provided.

§ 503.109 *Notice to Office of Price Administration.* Whenever an order suspending, recalling, cancelling, or revoking a certificate in whole or in part, has become effective, a certified copy thereof shall be filed by the person issuing such order with the Office of Price Administration. Such order shall be accompanied by the recommendation of the Office of Defense Transportation that outstanding transportation rations issued to such persons be suspended, recalled, cancelled, or revoked in whole or in part, to conform with the action taken on the certificate.

§ 503.110 *Definitions.* (a) As used in this order, and unless otherwise indicated by the context, the term:

(1) "Certificate" means a Certificate of War Necessity and includes certificates issued in respect of single units, fleets of commercial vehicles, fleet units, and trailer units.

(2) "Certificate holder" means a person to whom or in whose name a certificate has been issued.

(3) "District manager" means the manager of a district office of the Division of Motor Transport of the Office of Defense Transportation.

(4) "District office" means a district office of the Division of Motor Transport of the Office of Defense Transportation.

(5) "Regional director" means the director of a regional office of the Division of Local Transport or of the Division of Motor Transport of the Office of Defense Transportation.

(b) As used in this order, any term which is defined in General Order ODT 21, as amended, shall have the meaning specified therefor in § 501.90 (*Definitions*) of General Order ODT 21.

This Administrative Order ODT 5 shall become effective the 1st day of October 1943.

Issued at Washington, D. C., this 24th day of September 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-15561; Filed, September 24, 1943; 11:33 a. m.]

[Administrative Order ODT 8]

PART 503—ADMINISTRATION

PROCEDURE FOR REVIEW OF TERMS AND CONDITIONS OF CERTIFICATES OF WAR NECESSITY

General outline. This order prescribes the procedure to govern the review and reconsideration of terms and conditions contained in Certificates of War Necessity issued pursuant to the provisions of General Order ODT 21 (Certificates of War Necessity for and Control of Commercial Motor Vehicles).

The order provides that any certificate holder, who believes that the allotments specified in his certificate are not sufficient to enable him to conduct essential and necessary transportation, may file an application with a district manager of the Office of Defense Transportation, upon a form provided therefor by the Office of Defense Transportation, asking for a review and reconsideration of the allotments or operations specified. The same procedure is also to be followed by a certificate holder seeking correction of an erroneously issued certificate or seeking a corrected certificate to reflect changes in operating conditions which occur after he has obtained a certificate, such as change of character of use, change of base of operations, acquisition of vehicle, transfer or discontinuance of use of vehicle, or replacement of vehicle by a vehicle of a different capacity or rate of consumption of motor fuel. The order also provides that the district manager may, upon his own motion, when information in his possession warrants it, review and reconsider allotments or operations specified in outstanding certificates.

Upon modifying, amending, correcting, or revising a certificate, the certificate previously held will be surrendered and a corrected certificate will be issued. Corrected certificates issued under this order are to be distinguished from duplicate certificates which are issued to replace certificates shown to have been lost, stolen, destroyed, defaced, or mutilated. The latter are subject to a separate procedure.

Any certificate holder believing that the allotments specified in a corrected certificate, issued by the district manager after review and reconsideration, are not sufficient to enable him to conduct transportation which is necessary to the war effort or to the maintenance of essential civilian economy, may appeal to the regional director and in connection therewith may submit, in writing, additional facts relative to his operation. In the event the decision made by the regional director upon his appeal is unsatisfactory to him, the certificate holder is permitted a further appeal to the Director of the Office of Defense Transportation, Washington, D. C.

A certificate holder who operates a farm vehicle or vehicles is given the option of filing his application for review or appeal with the County Farm Transportation Committee of the United States Department of Agriculture County War Board which is located in the county in which the certificate holder is domiciled or conducts the major portion of his operations. In such an event the recommendation of the County Farm Transportation Committee is noted on the application or appeal and forwarded to the district manager. In the event the district manager does not concur in such recommendation, the order provides that he shall confer with the County Farm Transportation Committee.

Provision is also made in the order for the recall of excess gasoline rations. When a determination is made by a district manager that the certificate holder has rations in excess of the amount required for operation in accordance with certification specified in his certificate, the district manager will notify the certificate holder of the amount of such excess. The excess ration orders, coupons, ration banking credits, or stamps held by the certificate holder, are required to be surrendered to the district manager who will issue his receipt therefor. The surrendered ration orders, coupons, or stamps will be destroyed by the district manager and report of their destruction made to the Office of Price Administration.

This general outline of the contents of this order does not, in any respect, limit or affect the scope or meaning of any provision contained in the order.

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, 9156, 9214, and 9294, and War Production Board Directive 21, and in order to regulate the review and reconsideration of terms and conditions contained in certificates of war necessity, issued pursuant to General Order ODT 21, as amended (7 F.R. 7100, 9006, 9437, 10025; 8 F.R. 551, 2510, 7357, 7880, 9033), *It is hereby ordered,* That:

Sec.

503.220 Review of allotments.
503.221 Form to be used.
503.222 Information to be supplied.
503.223 Signature required.
503.224 Investigation by district manager.
503.225 Decision by district manager.
503.226 Decision; notice to certificate holder.
503.227 Issuance of corrected certificate; emergency certificates.
503.228 Farm vehicles; option to file appeal with County Farm Transportation Committee.
503.229 Farm vehicles; decision on appeal.
503.230 Report to Office of Price Administration of adjustments on appeal.
503.231 Recall of excess gasoline rations.
503.232 Second appeal.
503.233 Procedure on second appeal.
503.234 Second appeal; farm vehicles.
503.235 Procedure on second appeal; farm vehicles.
503.236 Appeal from decision of regional director.
503.237 Definitions.

AUTHORITY: §§503.220 through 503.237, issued under the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code §§ 631 through 645a; E.O. 8989, 9156, 9214, and 9294; 6 F.R. 6725, 7 F.R. 3349, 6097, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834.

§ 503.220 *Review of allotments.* Operations certified in any outstanding Certificate of War Necessity may be reviewed and reconsidered by the district manager at any time after the issuance of the certificate:

(a) Upon application for such review and reconsideration, herein designated

as an appeal, filed by any certificate holder who believes that the allotments or operations certified in his certificate are not sufficient to enable him to conduct essential and necessary transportation;

(b) Upon application for such review and reconsideration filed by any certificate holder showing the existence of special circumstances requiring a correction or revision of a statement or statements contained in his certificate; or

(c) Whenever the district manager shall find such review and reconsideration to be warranted, as indicated by information in his possession, including information contained in any application, record, report, plan, or other writing submitted by the certificate holder or by any person in his behalf.

§ 503.221 *Form to be used.* Application by a certificate holder for review and reconsideration of allotments or operations certified, filed pursuant to § 503.220 of this order, shall be made upon the form provided therefor by the Office of Defense Transportation.

§ 503.222 *Information to be supplied.* (a) The certificate holder shall fill out the application form and supply the information requested therein. A signed supplemental statement may be attached to the form, setting forth additional relevant information and specifying in detail the effect, if any, of any special circumstances reported in the application upon the operating requirements of the certificate holder.

(b) In the event that the application is filed in connection with a change of address, or moving of a base of operations of a certificate holder, from one district of the Division of Motor Transport to another of such districts, the application form, and any supplemental statement attached thereto, shall be prepared in duplicate and may be submitted to the district office from which or to which such certificate holder is changing his address or moving.

§ 503.223 *Signature required.* The application, and any supplemental statement which may be attached thereto, shall be signed by the certificate holder or by any lawfully authorized agent or representative of the certificate holder who is familiar with the facts stated therein.

§ 503.224 *Investigation by district manager.* The district manager may require the certificate holder to submit such additional information, and may make or cause to be made such investigation, as he may deem necessary for proper review and reconsideration of operations certified; and the district manager shall not be required to render a decision upon any application or appeal filed pursuant to § 503.220 of this order unless and until the additional information has been submitted and the investigation has been completed.

§ 503.225 *Decision by district manager.* Upon review and reconsideration of operations certified pursuant to § 503.220 of this order, the district manager may (a) amend or modify the limitations upon operations and allotments previously certified, in order to conform such limitations (1) with the operating requirements of the certificate holder, or (2) with any general or other order, or written public direction or statement of policy, issued by the Director of the Office of Defense Transportation; or (b) correct or revise the certificate to eliminate obvious errors or to reflect changes in the name, address or business of the certificate holder, or changes in the status, use, or place of use, of the vehicle or vehicles covered by the certificate.

§ 503.226 *Decision; notice to certificate holder.* In the event that an appeal or application for review and reconsideration, filed pursuant to § 503.220 of this order, is disapproved in whole or in part, the district manager shall promptly advise the certificate holder of such disapproval and the reasons therefor.

§ 503.227 *Issuance of corrected certificate; emergency certificates.* (a) If, pursuant to the decision of the district manager upon review and reconsideration of allotments or operations certified, pursuant to § 503.220 of this order, (1) the allowance of mileage or motor fuel is to be increased or reduced, or (2) any change is to be made in the designation of the business or service in which a vehicle may be used, the district manager may issue an emergency certificate certifying additional operations or allotments for a limited period of time, if warranted by the facts presented, or may demand that the certificate holder promptly return to the district office the certificate or certificates previously issued to him and may issue a corrected certificate to the certificate holder.

(b) When any certificate is surrendered to the district manager pursuant to the provisions of this § 503.227, the word "Void" shall be stamped on its face and it shall be returned to the certificate holder.

§ 503.228 *Farm vehicles; option to file appeal with County Farm Transportation Committee.* If the certificate holder operates a farm vehicle or vehicles, he may, at his option, file an appeal or application for which provision is made in § 503.220 of this order with the County Farm Transportation Committee of the United States Department of Agriculture County War Board which is located in the county in which the certificate holder is domiciled or conducts the major portion of his operations.

§ 503.229 *Farm vehicles; decision on appeal.* (a) The County Farm Transportation Committee will note its recommendation on any application or appeal form filed with it pursuant to § 503.228 of this order and forward the form to the district manager.

(b) If the district manager concurs in such recommendation, his decision shall be in accordance therewith. In the event the district manager does not concur in such recommendation he shall confer with the County Farm Transportation Committee and render his decision upon the application or appeal. The corrected certificate issued upon such application or appeal shall be issued in accordance with §§ 503.225, 503.226, and 503.227 of this order, and shall be mailed directly to the certificate holder.

(c) In the event that the appeal is disapproved in whole or in part and the district manager notifies the certificate holder of the reasons therefor, as provided in § 503.226 of this order, a copy of such notification shall be mailed to the County Farm Transportation Committee which considered the appeal.

§ 503.230 *Report to Office of Price Administration of adjustments on appeal.* Upon issuance of a corrected certificate as provided in § 503.227 or § 503.229 of this order, the district manager shall notify the Office of Price Administration (a) of any change made in the gallonage of motor fuel allotted to the certificate holder, (b) of any change in the name or mailing address of the certificate holder, and (c) of any other adjustment of operations certified or change in the certificate that affects the relations of the certificate holder with the Office of Price Administration.

§ 503.231 *Recall of excess gasoline rations.* (a) If the district manager determines that the certificate holder has motor fuel or ration orders, coupons, ration banking credits, or stamps evidencing authorization to acquire motor fuel, in excess of the amount or number thereof required for operations in accordance with certifications prescribed in the certificate, the district manager shall notify the certificate holder of the amount of such excess and thereupon the validity of such excess ration orders, coupons, ration banking credits, or stamps shall immediately expire, pursuant to the provisions of Ration Order 5C, as amended, of the Office of Price Administration.

(b) The holder of any excess ration orders, coupons, ration banking credits, or stamps which have expired as provided in paragraph (a) of this § 503.231 shall, immediately upon demand, surrender such expired ration orders, coupons, or stamps, or a ration banking check in the amount of such excess rations, to the district manager, who shall give the holder a receipt therefor, and shall destroy the surrendered ration orders, coupons, or stamps, and report the destruction thereof to the Office of Price Administration.

§ 503.232 *Second appeal.* In the event that an appeal or application for review and reconsideration, filed pursuant to § 503.220 of this order, is disapproved in whole or in part, and the certificate holder believes that the mileage or motor fuel allowances specified in the certificate are not sufficient to enable him to conduct transportation which is necessary to the war effort or to the maintenance of essential civilian economy, the certificate holder may file a request for a second appeal with the district manager to be forwarded to the appropriate regional director of the area in which the office of the district manager is located.

§ 503.233 *Procedure on second appeal.* (a) The certificate holder may submit

with the request for second appeal a signed supplemental statement setting forth additional facts revelant to the matters under review. If, after reconsideration by the district manager, no changes in the certificate are made, the supplemental statement together with the entire application file and the district manager's report thereon shall then promptly be forwarded by the district manager to the appropriate regional director, who shall review the file and all papers submitted in connection therewith and render his decision therein.

(b) If the regional director disapproves the second appeal in whole or in part, he shall notify the certificate holder of such disapproval, stating his reasons therefor.

(c) If the regional director decides that the second appeal is justified, he shall promptly advise the district manager of the details of the decision and direct the district manager to take such proceedings as may be required to effectuate that decision in accordance with the provisions of §§ 503.227, 503.230, and 503.231 of this order.

§ 503.234 *Second appeal; farm vehicles.* In the event that an appeal or application for review and reconsideration, filed pursuant to § 503.228 of this order, is disapproved by the district manager in whole or in part, and the holder of a certificate issued in respect of a farm vehicle believes that the mileage or motor fuel allowances specified in the certificate are not sufficient to enable him to conduct transportation which is necessary to the war effort or to the maintenance of essential civilian economy, such certificate holder may file a request for a second appeal with the district manager to be forwarded to the regional director of the area in which the office of the district manager is located.

§ 503.235 *Procedure on second appeal; farm vehicles.* (a) The holder of a certificate issued in respect of a farm vehicle may submit with the second appeal a signed supplemental statement setting forth additional facts relevant to the matters under review. If, after reconsideration by the district manager and the County Farm Transportation Committee, no changes in the certificate are made, the supplemental statement together with the entire application file and the report thereon of the district manager and of the County Farm Transportation Committee shall then promptly be forwarded by the district manager to the regional director, who shall review the file and all papers submitted in connection therewith and render his decision therein.

(b) If the regional director disapproves the second appeal in whole or in part, he shall promptly notify the certificate holder of such disapproval, stating his reasons therefor, and shall send a copy of such notification to the County Farm Transportation Committee which considered the first appeal.

(c) If the regional director decides that the second appeal is justified, he shall promptly advise the district manager and the County Farm Transportation Committee of the details of the decision and direct the district manager to take such proceedings as may be required to effectuate that decision in accordance with the provisions of §§ 503.227, 503.230, and 503.231 of this order.

§ 503.236 *Appeal from decision of regional director.* (a) Upon receipt of notice of a determination, disposition, or decision made by the regional director upon a second appeal taken pursuant to the provisions of §§ 503.232 and 503.233, or 503.234 and 503.235, of this order, the certificate holder may file with the regional director an appeal to the Director of the Office of Defense Transportation, Washington, D. C.

(b) Upon receipt of such appeal, the regional director shall forward the appeal and all papers in his possession relating to the matter to be reviewed, to the Director of the Office of Defense Transportation, Washington, D. C.

(c) Upon disposition of the appeal, notice will be given to the regional director and to the district manager of the details of the decision upon appeal and the district manager shall take such proceedings as may be required to effectuate that decision in accordance with the provisions of §§ 503.227, 503.230, and 503.231 of this order.

§ 503.237 *Definitions.* (a) As used in this order, and unless otherwise indicated by the context, the term:

(1) "Certificate" means a Certificate of War Necessity and includes certificates issued in respect of single units, fleets of commercial vehicles, fleet units, and trailer units.

(2) "Certificate holder" means a person to whom or in whose name a certificate has been issued.

(3) "District manager" means the manager of a district office of the Division of Motor Transport of the Office of Defense Transportation.

(4) "District office" means a district office of the Division of Motor Transport of the Office of Defense Transportation.

(5) "Regional director" means the director of a regional office of the Division of Local Transport or of the Division of Motor Transport of the Office of Defense Transportation.

(b) As used in this order, any term which is defined in General Order ODT 21, as amended, shall have the meaning specified therefor in § 501.90 (*Definitions*) of General Order ODT 21.

This Administrative Order ODT 8 shall become effective the 1st day of October 1943.

Issued at Washington, D. C., this 24th day of September 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-15562; Filed, September 24, 1943; 11:33 a. m.]

Notices

NAVY DEPARTMENT.

LEGAL ASSISTANCE FOR NAVAL PERSONNEL

The following corrections are made to the directories of bar associations on war work, and of established legal aid organizations included in the instructions relative to the establishment of legal assistance offices in the naval service (8 F.R. 9631):

11. *Present director of bar association committees on war work.*

(a) *Committee on war work of the American Bar Association.* • • •

2d Judicial Circuit: Edward J. Dimock, Court of Appeals Hall, Albany, New York.

• • • • • •

(b) *Chairman of State Bar Association Committees on war work.*

Arizona: Orme Lewis, Title & Trust Building, Phoenix.

Arkansas: A. L. Barber, Donaghey Building, Little Rock.

Idaho: William F. Galloway, No. 218 Idaho Building, Boise.

Massachusetts: Judge Francis X. Reilly, Keating Building, Westborough.

New York: Edward Schoeneck, State Tower Building, Syracuse.

Oregon: Hon. Walter L. Tooze, 525 County Court House, Portland.

Rhode Island: W. L. Frost, 1511 Turks Head Building, Providence.

Virginia: A. Russell Bowles, Mutual Building, Richmond (Virginia State Bar Association); Thomas H. Willcox, National Bank of Commerce Building, Norfolk (Virginia State Bar).

12. *Director of established legal aid organizations.*

• • • • •

Florida: Jacksonville—Duval County Legal Aid Association, Inc., M. G. Boyce, Executive Secretary, 400 Consolidated Building. Miami—Legal Aid Committee, Dade County Bar Association, Max R. Silver, Legal Aid Counsellor, 52 West Flagler St. Tampa—Legal Aid Bureau of Tampa, Hon. E. B. Drumwright, Attorney, 315½ Franklin Street.

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 43-15546; Filed, September 24, 1943; 9:58 a. m.]

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order No. T-59]

THE NEW RIVER CO.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

SEPTEMBER 22, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have sub-

mitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; and *Provided further,* That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

The New River Company, Mount Hope, West Virginia.

[F. R. Doc. 43-15523; Filed, September 23, 1943; 8:05 p. m.]

[Order No. T-60]

COAL RAIN COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

The operating managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; *And provided further,* That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

Coal Rain Coal Co., 205 Washington Avenue, Scranton, Pennsylvania; Consagra Coal Co., Blakely, Pennsylvania; DeAngelis Coal Co., Inc., Carbondale, Pennsylvania; Delano Anthracite Collieries Co., The Ashland, Pennsylvania; Glen Alden Coal Co., 310 Jefferson Avenue, Scranton, Pennsylvania; Kohinoor Coal Co., Shenandoah, Pennsylvania; Newfrock, Michael, Simpson, Pennsylvania; Philadelphia and Reading Coal and Iron Co., The, Reading Terminal, Philadelphia, Pennsylvania; Russell Mining Co., The, Old Forge, Pennsylvania; Sarf Coal Co., Pittston, Pennsylvania; "V" Coal Co., Moosic, Pennsylvania.

[F. R. Doc. 43-15541; Filed, September 24, 1943; 9:45 a. m.]

[Order No. T-61]

BEAVER COAL AND MINING CO., ET AL.

ORDER TERMINATING APPOINTMENT OF OPERATING MANAGERS

SEPTEMBER 22, 1943.

Orders have been issued terminating Government possession and control of the coal mines for which the persons listed in Appendix A have served as Operating Managers for the United States, and the mining companies have duly executed and delivered to the Administrator, Instrument No. 1, as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712).

Accordingly, I hereby order and direct that the appointments of the Operating Managers for the United States listed in Appendix A, attached hereto and made a part hereof, be, and they are hereby, terminated.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Operating Manager and Name of Mining Company

A. B. Miller, Beaver Coal and Mining Company, Richardson Building, Toledo, Ohio; Arthur S. Braine, Braine and Beasley, 443 Liberty Street, Grove City, Pennsylvania; W. I. Webb, Cambria Collieries Company, 616 Ohio Building, Toledo, Ohio; A. B. Miller, Clear Branch Mining Company, Richardson Building, Toledo, Ohio; Walter Trover, Coal Creek Coal Company, Henryetta, Oklahoma; Fred S. McConnell, Enos Coal Mining Company, 1101 Guardian Building, Cleveland, Ohio; C. E. Uhland, Gallup American Coal Company, Gallup, New Mexico; Harry S. Gay, Gay Coal & Coke Company, Mt. Gay, West Virginia; Harry S. Gay, Gay Mining Company, Mt. Gay, West Virginia; J. E. Biggs, Jr., H. E. Harman Coal Corporation, Harman, Virginia; Stewart M. Himes, Himes & Cross, 320 Woodland Avenue, Grove City, Pennsylvania; William C. Hudson, Hudson Coal Company, Coshocton, Ohio; Victor W. Sweet, Hudson Coal Company, 907 Continental Bank Building, Salt Lake City, Utah; Charles F. King, King Coal & Coke Company, Brennen Building, Scottdale, Pennsylvania; T. B. Wilson, Louisville Gas and Electric Co., Louisville, Kentucky; Charles Curvey, Lykens Coal Company, Box 355, Mahanoy City, Pennsylvania; W. W. Wood, Oakwood Smokeless Coal Corp., Bluefield, West Virginia; Fred Legg, Page Mining Company, Cincinnati, Ohio; Andrew O. B. Hogue, Ridgeview Coal Company, Ridgeview, West Virginia; Stanley Skeloski and Walter Ulish, S. and U. Coal Company, Wyano, Pennsylvania; Joe B. Moore, Three Fork Coal Company, Ellamore, West Virginia; Edward Tomajko, Edward Tomajko, Adamsburg, Pennsylvania; Robert W. Hanna, Virginia & Pittsburgh Coal & Coke Company, Fairmont, West Virginia; Peter M. Marco, Washington Coal Company, Leechburg, Pennsylvania; Hubert Youngs, Winslow Coal Corporation, Petersburg, Indiana.

[F. R. Doc. 43-15542; Filed, September 24, 1943; 9:45 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[Finding No. WLD-5]

BELBEY TRANSFER COMPANY

FINDING AS TO CONTRACT IN PROSECUTION OF WAR

Whereas, the Belbey Transfer Company, Harrison, New Jersey, is engaged in transportation by motor vehicle of coal, lumber, pipe and machinery, sand and gravel and powdered chalk,

Now, therefore, pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. Law 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER on August 14, 1943 (8 F.R. 11281),

I find that the transportation by motor vehicle of coal, lumber, pipe, machinery, sand, gravel and powdered chalk pur-

suant to any contract entered into by the Belbey Transfer Company, Harrison, New Jersey, with wholesale dealers in or industrial users of these commodities, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 23d day of September 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-15563; Filed, September 24, 1943; 11:44 a. m.]

Wage and Hour Division.

[Administrative Order 218]

METAL ORE, COAL, PETROLEUM, AND NATURAL GAS EXTRACTION INDUSTRIES

ACCEPTANCE OF RESIGNATION FROM AN APPOINTMENT TO INDUSTRY COMMITTEE NO. 66

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Paul F. Gemmill of Philadelphia, Pennsylvania, from Industry Committee No. 66 for the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries, and do appoint in his stead H. LaRue Frain of Philadelphia, Pennsylvania, as representative for the Public on such Committee.

Signed at New York, New York, this 20th day of September 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-15553; Filed, September 24, 1943; 10:46 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-496]

THE MANUFACTURERS LIGHT AND HEAT COMPANY

NOTICE OF FILING OF APPLICATION

SEPTEMBER 23, 1943.

On September 18, 1943, The Manufacturers Light and Heat Company, 800 Union Trust Building, Pittsburgh, Pennsylvania, filed with the Federal Power Commission its application for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, authorizing it to construct, install and operate a connection with J. D. Fowler & Company for the delivery of 750,000 cubic feet of gas per month.

Notice is hereby given of the filing of the aforesaid application for a certificate of public convenience and necessity authorizing the construction, installation and operation of a connection of applicant's pipe line system with the J. D. Fowler & Company, and the delivery of 750,000 cubic feet of gas each month to the said J. D. Fowler & Company for the purpose of augmenting its supply of gas. The total estimated cost of the material and expense of said installation is estimated by the applicant to be $1,064.00. The location of the connection proposed is at a point approximately 4,000 feet east of Route 19 at Pine Creek in McCandless Township, Allegheny County, Pennsylvania.

Any person desiring to be heard or to make any protest with reference to this application should, on or before the 20th day of October, 1943, file with Federal Power Commission, a petition or protest in accordance with the rules of practice and regulations of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-15543; Filed, September 24, 1943; 9:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2092]

JANIS FREIMANIS, JANIS ZALCMANIS, KARLIS JANSONS

Correction

In F.R. Doc. 43-15338 appearing in the first column of page 12832 of the issue for Tuesday, September 21, 1943, the date of filing should be September 20, 1943.

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 6A-2]

EASTERN STATES TRUCKING CO., ET AL.

COORDINATED OPERATIONS IN BALTIMORE, MARYLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Joseph S. Wernig Express Co., Inc., doing business as Eastern States Trucking Co., Joseph M. Dignan, Sr. and Joseph M. Dignan, Jr., doing business as Joseph M. Dignan & Son, and Louis Siegrist, Sr., doing business as Siegrist's Transfer, all of Baltimore, Maryland, to facilitate compliance with the requirements of General Order ODT 6A (8 F.R. 8757), a copy of which plan is attached hereto as Appendix 1,[1] and

It appearing that the carriers propose by the plan to coordinate their operations in collection and delivery of property by motor vehicle in Baltimore, Maryland, in such way as to produce increased lading and more efficient utilization of motor vehicles, and

It further appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible but not prior to the effective date of this order.

3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.

4. The provisions of this order shall not be so construed or applied as to require any carrier named herein to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-2" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of

[1] Filed as part of the original document.

Defense Transportation, Washington, D. C.

This order shall become effective September 23, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of September 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-15551; Filed, September 24, 1943; 10:04 a. m.]

ALGERS FINE FLOWERS, ET AL., DETROIT, MICH.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials, and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), Harry M. Alger, doing business as Algers Fine Flowers, and six other florists of Detroit, Michigan, named in Appendix 1 hereof, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in Detroit and the suburbs of Royal Oak, Pleasant Ridge, Huntington Woods, Hazel Park, and Ferndale, Michigan.

The seven participating florists plan to eliminate wasteful operations in the transportation and delivery of flowers and related articles by pooling their deliveries and using a for-hire carrier to make deliveries in the metropolitan area of Detroit and the suburbs of Royal Oak, Pleasant Ridge, Huntington Woods, Hazel Park, and Ferndale. Schedules of delivery will be established by a majority of the participants for use by the for-hire carrier. The participants estimate that effectuation of the plan will result in a saving to them of approximately 42,055 truck-miles annually. The chosen for-hire carrier will be able to make these deliveries with fewer trucks and by operating considerably fewer truck-miles.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 17th day of September 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Harry M. Alger, doing business as Algers Fine Flowers.
2. Edward S. Cross.
3. Lillian Dutton.
4. J. C. Tear.
5. Frank Lorenzen, doing business as Lorenzens Flower Shop.
6. Harriet Franck, Inc.
7. Lockers Flowers, Inc.

[F. R. Doc. 43-15550; Filed, September 24, 1943; 10:04 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region VI Order G-7 Under MPR 165]

LAUNDRY SERVICES IN CHICAGO AREA

Order No. G-7 under Maximum Price Regulation No. 165—Services. Family power laundry services in the Chicago area.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, *It is hereby ordered:*

(a) *What this order covers.* This order establishes dollars and cents maximum prices for family laundry services supplied to individuals and family consumers by power laundries located within Cook County and Du Page County, Illinois. It does not apply to services furnished to commercial and institutional users; nor services furnished by hand laundries; nor services furnished by power laundries to hand laundries.

(b) *Dollars-and-cents maximum prices for basic services.* The maximum prices for all family laundry services, other than bachelor bundle list services, shall be the prices set forth in Appendix A.

(1) No more than the "cash and carry" prices listed in Appendix A may be charged for laundering bundles, delivered, picked up and paid for by customers when such services are rendered by laundry which customarily has sold family laundry services on a cash and carry basis or customarily has given a discount for cash and carry transactions.

(2) The prices listed below shall be the maximum prices for fluff dry or rough dry services as defined in Appendix A for all laundries who, during March 1942 and continuously thereafter, sold such services on the basis of a bundle with a minimum weight of 30 lbs. or provided a special price for such bundles. Other sellers may, but need not, use these prices:

Bundles 23 lbs. or less priced at 16 lbs. for $1.85 plus 9¢ for each additional pound. Shirts, finished 11¢ extra. Bundles over 23 lbs. priced at $2.40 for 24–30 lbs. plus 8¢ for each additional pound; shirts finished, 10¢ extra.

(3) The "delivered prices" listed in Appendix A shall be the maximum prices for all sellers and sales of family laundry services not covered by paragraphs 1 and 2 above.

(c) *Maximum prices for bachelor list bundles.* The prices listed in Appendix B shall be the maximum prices for finished laundry not falling within any of the other classifications of this Order. "Group I" prices shall be applicable to laundries who, during March 1942, customarily charged less than 16¢ for shirts. "Group II" prices shall be applicable to laundries who, during March 1942, customarily charged 16¢ or more for shirts. "Cash-and-Carry" prices shall be applicable to bundles delivered, picked up and paid for by customers when such services are rendered by a laundry which customarily has sold family laundry services on a cash and carry basis or customarily has given a discount for cash and carry transactions. No laundry shall charge Group II prices until and unless a statement in writing shall have been filed with the Chicago Metropolitan District Office of the Office of Price Administration to the effect that the prevailing prices for shirts during March 1942 was 16¢ or more. Satisfactory evidence of this fact may be demanded by the OPA. The OPA may order any seller to use Group I prices upon a finding that it did not customarily sell shirt laundering services at 16¢ or more. A minimum charge may be made of $1.00, for Group I and II bundles and 75¢ for cash-and-carry bundles.

(d) *Maximum prices for services or combination of services not specifically listed.* The maximum price of a family laundry service which does not conform exactly to the description of one of the services listed in Appendix A shall be that of the listed service all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher priced listed service, its maximum price shall be that of the lower priced service.

EXAMPLE: A laundry returns flatwork washed and finished, wearing apparel dry, bath towels and handkerchiefs finished. This service does not conform exactly to the description of fluff dry, but it does not meet the specifications for family finish, inasmuch as wearing apparel is not finished. The bundle must be priced as fluff dry.

(e) *Insurance charges.* In addition to the maximum prices provided in sections (b) and (c), a charge not to exceed 2¢ per bundle for insurance may be made by any laundry which in fact provides insurance protection.

(f) *Minimum quality requirements—*(1) *Inclusion of articles in services.* Laundries shall continue to accept as wearing apparel and flatwork those articles which have customarily been accepted as such, but may charge for all others at the list prices provided in Appendix B. Irrespective of prior practices, the following items may be rejected as parts of bundles or charged for at list prices:

Articles of fugitive color
Doilies
Pot Holders
Tray Covers
Tea Napkins or Coasters
Scarfs, Dresser Covers, or
Runners made of lace or drawnwork
Curtains
Valances
Guest Towels
Lace or fancy Tablecloths
Silk Garments that require hand processing
Dress Shirts
Dish Cloths
Furniture Covers

(2) *Minimum degree of processing.* Laundry services shall be performed in accordance with standards customarily in effect during March 1942, except:

(i) Starch may be eliminated from damp wash, hydro, and fluff dry, except for shirts, and may be limited to one grade with respect to shirts and family finish bundles.

(ii) The following items may be limited to one fold after having passed through flatwork ironing: pillow cases, towels of all kinds, napkins.

(iii) The following processing methods may be eliminated:

Folding wearing apparel, handkerchiefs, bath towels, mats, etc., in the fluff dry service.
Darning hosiery.
Mending wearing apparel and flatwear.
Sewing buttons on shirts, underwear and pajamas.
Touching up flatwork.
Hand ironing of monograms.
Finishing of socks on sock forms (socks may be tumbled dry).
Touching up of undergarments after machine pressing.
Binding of blankets.
Touching up or ironing of hems of blankets.
Folding or loosening of pieces in damp wash.
Pressing of knit undergarments (These may be tumbled dry).
Turning of cuffs on shirts with French cuffs (These may be returned ironed flat).
Replacing or turning collars and cuffs on shirts.
Finishing and pressing of work clothes, including overalls and coveralls (These may be tumbled dry only).
Preferential starching of shirts (This may be limited to one grade of starch or eliminated).

(iv) The following packaging methods and materials may be eliminated:

Shirt boards.
Shirt envelopes.
Shirt wrappings—cellophane.
Shirt wrappings—glassine.
Shirt collar forms.
Shirt cuff fasteners.
Soft collar envelopes.
Starch collar nests.
Handkerchief envelopes.
Socks envelopes.
Ribbon bands on socks or handkerchiefs.
Tissue lining of boxes of wearing apparel.
Wax paper wrapping of colored work in damp wash or hydro.
Cotton laundry bags supplied to customers.
Boxes.

(g) *Posting requirements.* On or before September 15, 1943, any laundry furnishing family laundry services shall post each in its own establishment in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in this order and for any other family laundry services it may offer. Also, prior to September 15, 1943, laundries shall furnish to each customer a statement of the maximum prices of the services offered with a description of each. In this statement the description of listed services and their prices shall be exactly as set forth in the applicable section of this order. Thereafter new customers shall be furnished a similar statement.

(h) *Adjustments.* Applications for the establishment of maximum prices may be filed with the Chicago Metropolitan Office of the Office of Price Administration by:

(1) Any laundry which has continuously sold special de luxe laundry services in which all flatwork is retouched and wearing apparel is completely handironed; and

(2) Any laundry which has continuously sold services other than those listed in Appendix A, and which can demonstrate that the effect of this order will be to cause hardship to a substantial number of consumers.

(i) *Less than maximum prices.* Lower prices for any of the services covered by this order may be charged, offered, demanded or paid.

(j) *Revocability.* This order may be amended, modified or revoked at any time.

(k) *Effective date.* This order shall be effective Monday August 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1943.

RAYMOND S. MCKEOUGH,
Regional Administrator.

APPENDIX A

FAMILY BUNDLE SERVICES

Services	Delivered prices	Cash and carry prices
Damp wash in which all laundry is returned damp.	22 lbs. or less for $1.24 plus 4½¢ for for each additional lb. Shirts finished 13¢ extra.	10 lbs. or less for 49¢ plus 4¢ for each additional lb. Shirts finished 11¢ extra.
Hydro or thrifty, in which wearing apparel, bath towels and handkerchiefs are returned damp; flat work returned finished.	20 lbs. or less for $2.03 plus 9¢ for each additional lb. Shirts finished 11¢ extra.	10 lbs. or less for 81¢ plus 7¢ for each additional lb. Shirts finished 10¢ extra.
Fluff dry or rough dry, in which wearing apparel, bath towels and handkerchiefs are returned dry; flatwork returned finished.	16 lbs. or less for $1.85 plus 9¢ for each additional lb. Shirts finished 11¢ extra.	10 lbs. or less for 86¢ plus 7½¢ for each additional lb. Shirts finished 10¢ extra.
	For 30 lb. minimum bundle prices, see section b (2) of order.	
Family finish in which all laundry is finished; silks may be excluded; handkerchiefs classed as apparel.	Entire bundle weighed in at 11¢ per lb. Wearing apparel 25¢ per lb. additional. Minimum charge $2.	Entire bundle weighed in at 9¢ per lb. Wearing apparel 17¢ per lb. additional. Minimum charge $1.

APPENDIX B

MAXIMUM BACHELOR LIST BUNDLE PRICES

	Group I	Group II	Cash and carry
a. Men's list			
Shirts, negligee	16¢	18¢	14¢
Shirts, soft collar attached	16¢	18¢	14¢
Shirts, silk	35¢	38¢	28¢
Shirts, dress neckband	27¢	33¢	21¢
Shirts, dress collar attached	32¢	38¢	26¢
Collars	6¢	6¢	4¢
Undershirts (cotton)	11¢	13¢	9¢
Undershirts (silk or wool)	16¢	16¢	12¢
Shorts (cotton)	11¢	13¢	9¢
Shorts (silk or wool)	16¢	16¢	12¢
Unionsuits (cotton)	20¢	20¢	16¢
Unionsuits (silk or wool)	26¢	26¢	21¢
BVD (cotton)	16¢	16¢	12¢
BVD (silk)	25¢	25¢	16¢
Pajamas (cotton)	26¢	26¢	21¢
Pajamas (silk or flannel)	40¢	45¢	30¢
Handkerchiefs (linen or cotton)	3¢	3¢	3¢
Handkerchiefs (silk)	6¢	6¢	5¢
Socks (cotton)	6¢	8¢	5¢
Caps	10¢	10¢	8¢
Overalls	26¢	26¢	21¢
Overall jumpers	26¢	26¢	21¢
Coveralls	37¢	37¢	31¢
Coveralls (white)	42¢	42¢	34¢
Work Aprons	10¢	10¢	8¢
b. Women's list			
Waists (plain—cotton)	26¢	26¢	21¢
Waists (silk—plain)	37¢	37¢	31¢
Waists (silk—ruffled)	42¢	42¢	35¢
Wash dresses (plain—cotton)	37¢	37¢	31¢
Skirts (cotton—plain)	26¢	26¢	21¢
Buster Brown collars	10¢	10¢	8¢
Pajamas (cotton)	26¢	26¢	21¢
Pajamas (silk—plain)	42¢	42¢	35¢
Hose (cotton)	11¢	11¢	9¢
Hose (silk & rayon)	16¢	16¢	12¢
Nightgowns (cotton)	21¢	21¢	16¢
Nightgowns (silk—plain)	42¢	42¢	35¢
Brassiere (cotton)	15¢	15¢	12¢
Brassiere (silk—plain)	21¢	21¢	16¢
Aprons (plain)	15¢	15¢	12¢
Chemise	21¢	21¢	16¢
Undervests	15¢	15¢	12¢
Step-ins	16¢	16¢	12¢
Combinations	26¢	26¢	21¢
Nurses' uniforms	45¢	45¢	36¢

APPENDIX B—Continued.
MAXIMUM BACHELOR LIST BUNDLE PRICES—con.

	Group I	Group II	Cash and carry
c. Household list			
Sheets	15¢	15¢	12¢
Pillow cases	6¢	6¢	5¢
Bed spreads (plain)	25¢	25¢	20¢
Bolster cases (plain	15¢	15¢	12¢
Pads (bed or table)	25¢	25¢	20¢
Washcloths	2¢	2¢	2¢
Towels (face and kitchen)	3¢	3¢	3¢
Towels (roller)	6¢	6¢	5¢
Towels (bath)	5¢	5¢	4¢
Napkins (up to 18")	4¢	4¢	4¢
Doilies	5¢	5¢	5¢
Bath mats (not to include bath rugs)	15¢	15¢	12¢
Lunch cloths (cotton)	15¢	15¢	12¢
Tablecloths (cotton)	25¢	25¢	20¢

PERMISSIBLE MINIMUM PRICES

Group I and II	$1.00
Cash-and-carry	.75

The maximum prices for all items not specifically listed above shall be the maximum prices established for any seller under Maximum Price Regulation No. 165—Services.

[F. R. Doc. 43-15505; Filed, September 23, 1943; 11:32 a. m.]

[Region VIII Order G-57 Under 18 (c) of GMPR]

TRANSPORTATION OF HAY IN CALIFORNIA

Order No. G-57 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of hay in California by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting hay by motor truck for the distances and under the conditions hereinafter specified shall be the applicable rates specified in Appendix A attached hereto:

(1) For transportation from any point of origin to any point of destination in the State of California where the distance does not exceed 30 miles, the maximum rates in Column 1 of Appendix A shall apply.

(2) For transportation from a roadside pick-up point to any point of destination in the Counties of Merced, Mariposa, San Benito and Monterey, and all counties in California north of those counties, the maximum rates in column II of Appendix A shall apply.

(3) For transportation from a roadside pick-up point to any point of destination in the portion of the State of California not covered by subparagraph (2), the maximum rates in Column III of Appendix A shall apply.

(b) The maximum rates herein specified include all loading, and also include unloading where the shipment is to be placed at a point not more than 25 feet distant from the carrier's equipment. Where delivery at a point more than 25 feet distant from the equipment is required, an additional charge not to exceed 35¢ per ton may be made for such unloading and stacking of hay.

(c) In determining the distance between any two points for purposes of this order, the constructive highway mileages set forth in Distance Table No. 3 issued by the Railroad Commission of the State of California on December 27, 1938 in connection with its Decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

APPENDIX A

ADJUSTED MAXIMUM PRICES IN CENTS PER HUNDRED POUNDS

Miles		Column I	Column II	Column III
Over	But not over			
0	5	10	8.5	7.5
5	10	10	8.5	7.5
10	15	11	9.5	8.5
15	20	11	9.5	8.5
20	25	12	10.5	9.5
25	30	18	10.5	9.5
30	40		11.5	10.5
40	50		12.5	11.5
50	60		13.5	12.5
60	70		15	14
70	80		16	15
80	90		17	16
90	100		18	17
100	120		19.5	18.5
120	140		21	20
140	160		22.5	21.5
160	180		24	23

APPENDIX A—Continued.

ADJUSTED MAXIMUM PRICES IN CENTS PER HUNDRED POUNDS—continued.

Miles		Column I	Column II	Column III
Over	But not over			
180	200		25.5	24.5
200	225		27	26
225	250		28.5	27.5
250	275		30	29
275	300		31.5	30.5
300	325		33	32
325	350		34.5	33.5
350	375		36	35
375	400		37.5	36.5

(d) Order No. G–12 (formerly Order No. 16) under § 1499.18 (c) as amended of the General Maximum Price Regulation, issued by the Regional Administrator on February 25, 1943, fixing adjusted maximum prices for the transportation of alfalfa hay by truck in certain localities in Southern California, is hereby revoked.

(e) This order may be amended, revoked, or corrected at any time. This order shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of September 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43–15508; Filed, September 23, 1943; 11:35 a. m.]

[Houston Order G–1 Under Gen. Order 50, Amdt. 1]

MALT BEVERAGES IN HOUSTON, TEX., DISTRICT

Houston District Order No. G–1, Amendment No. 1 under General Order No. 50. (Filing of prices by restaurants and similar establishments: delegation of authority to fix maximum prices.) Domestic and imported malt beverages for eating and drinking places in the Houston, Texas district.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Houston District Order No. G–1 is amended in the following respects:

Section 9 (a) (1) is hereby amended as follows:

	12 oz.	24 oz.	32 oz.
Buckingham ale	*Cents* .23, 2 for .45	*Cents*	*Cents* .50

Section 16, the effective date provision of this order, is hereby amended as follows:

This order becomes effective September 22, 1943.

This Amendment No. 1 to Order No. G–1 under General Order No. 50 for the Houston District shall become effective September 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, Gen. Order 50, 8 F.R. 4808)

Issued at Houston, Texas, this 14th day of September 1943.

BEN TAUB,
District Director.

[F. R. Doc. 43–15538; Filed, September 23, 1943; 5:01 p. m.]

WAR PRODUCTION BOARD.

[Certificate 136]

ALGERS FINE FLOWERS, ET AL., DETROIT, MICH.

RECOMMENDATION OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by Algers Fine Flowers and others named therein with respect to the transportation and delivery of flowers and related articles by motor vehicle in Detroit, Michigan.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 17, 1943.

[F. R. Doc. 43–15548; Filed, September 24, 1943; 10:04 a. m.]

[Certificate 137]

EASTERN STATES TRUCKING CO., ET AL.

COORDINATED OPERATIONS IN BALTIMORE, MD.

The ATTORNEY GENERAL:

I submit herewith Supplementary Order ODT 6A–2, issued by the Director of the Office of Defense Transportation with respect to coordinating the operations of Eastern States Trucking Co. and certain other local carriers of property by motor vehicle in Baltimore, Maryland.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357, I approve said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 6A–2, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 18, 1943.

[F. R. Doc. 43–15549; Filed, September 24, 1943; 10:04 a. m.]